



COMMON LETTINGS POLICY

APRIL 2009

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1. DEFINITIONS

Application date	Date application is received by Durham Key Options
Bands	The six categories of housing need which make up the priority system used to differentiate between and place in order applicants on the housing register
Bidding	Also known as 'expressing an interest' in an advertised property. There is no money involved in this form of 'bidding'
CBL - Choice Based Lettings	A lettings scheme involving advertising available properties and potential tenants expressing an interest (bidding) on those properties offering applicants greater choice
Common Housing Register	A shared housing list of all applicants seeking affordable housing with a variety of landlords working in partnership under one lettings scheme (Durham Key Options) Sometimes known as a housing 'waiting list'
Common Lettings Policy	A shared set of rules on how properties will be advertised and let providing consistency between all Durham Key Options partner landlords
Direct Offer	An allocation of a property to an applicant under exceptional circumstances, which will not require the applicant to bid. The property will still feature in the Durham Key Options weekly cycle in order to maintain an open and transparent scheme, though other applicants will not be able to bid for that property
Durham Key Options	A Choice Based Lettings scheme consisting of a number of partner organisations and housing providers advertising properties across County Durham
Express an interest	To note an interest in an advertised property. Also known as 'bidding'
Homebuy	A government scheme that enables social tenants, key workers and first time buyers to buy a share of a home and get a first step on the housing ladder

Housing Options Team	Offers advice and assistance on housing options and homelessness with the aim of assisting in homelessness prevention
Low Cost Home Ownership	Option enabling homeseekers that are unable to afford to buy a property on the open market to get onto the property ladder through a part rent and part buy scheme, usually with a registered social landlord
Nomination Agreement	Nomination agreements set out the way in which local authorities and registered social landlords must co-operate and work in partnership in helping to house those in housing need and to prevent homelessness
Priority date	The date when the applicant was given additional priority, which is a later date than the date on which the application was originally made (application date)
Quota	A quota system gives the majority of properties to those in greatest housing need, but also a much smaller proportion of properties to those applicants with lower level needs in the lower bands, ensuring that all applicants have the chance of being offered a property
Reasonable Preference Category	The phrase used in the Housing Act to describe those types of housing need that should be given priority in a local authority's lettings policy
Reduced preference	Applicants who have been accepted onto the housing register but whose behavior warrants a reduced priority under the lettings policy
RSL – Registered Social Landlord	Social landlords that are registered with the Housing Corporation to provide social housing (most are housing associations, but there are also registered charities, companies, trusts and co-operatives)
Sub region	A geographical area within a region, for the purposes of this policy the sub region is County Durham
Tie-breaker	The method used to decide between two otherwise equally weighted applications in determining which applicant will be offered a property where all else is equal

2. INTRODUCTION

COMMON LETTINGS POLICY

This document explains the common lettings policy of Durham Key Options, which will be used to allocate properties to those who have applied and are eligible to join the scheme. Durham Key Options is a partnership between:

- Durham County Council, (which prior to April 2009 was a two tier authority consisting of Durham County Council District of Easington, Sedgefield Borough Council, Derwentside District Council, Teesdale District Council, Wear Valley District Council, City of Durham Council and Chester-Le-Street District Council)
- East Durham Homes
- Sedgefield Borough Homes [to be setup in March 09]
- Derwentside Homes
- Teesdale Housing Association
- Dale and Valley Homes
- Cestria Community Housing Association

CHOICE BASED LETTINGS DEFINITION

Choice Based Lettings is an open and transparent way to let properties, which allows applicants to see for themselves the number and type of properties available. Applicants bid for properties they are interested in, and feedback is provided on the number of bids submitted and banding of successful applicants.

STATEMENT OF CHOICE

Durham Key Options is fully committed to enabling applicants to play an active role in choosing where to live while also continuing to house those in greatest need.

The choice based lettings scheme will enable applicants to have access to a range of available homes in County Durham. The scheme incorporates alternative housing options such as nominations arrangements with registered social landlords, private sector rented properties, low cost home ownership options, mutual exchange and mobility schemes. This increases choice and availability of accommodation.

AIMS & OBJECTIVES

The aims and objectives of the Durham Key Options scheme are:

- To provide a transparent housing allocations system, easily understood and accessible to all, which covers all tenure types and provides true choice through the housing options approach
- To increase mobility across all tenures
- To provide real housing options including low cost or shared ownership, Homebuy and specific advice, along with access to RSLs and private landlords' properties

- To ensure a more effective use of housing stock across County Durham
- To provide mixed, cohesive and sustainable communities through choice and housing options
- To provide accurate information on allocations, including supply and demand, across the sub region to highlight future priorities for development, investment and better inform the strategic planning process
- To increase the overall supply of properties and therefore assisting authorities in meeting statutory housing duties
- To realise efficiency saving on allocations and lettings across the sub region
- To meet the needs of homeless households – preventing homelessness by operating a functioning waiting list and by adopting an extensive and robust housing options approach
- To build effective partnerships across all sectors in the region, statutory and voluntary as well as the private sector
- To build community cohesion - enabling tenants to have choice in where they live, encouraging people to contribute positively to their community

EQUALITIES STATEMENT

We are committed to including equality and diversity in everything we do. This includes eliminating unlawful discrimination, promoting equality of opportunity and access, and valuing diversity in the delivery of our services. When making decisions regarding applications we will take into account issues regarding equality and diversity.

3. LEGAL CONTEXT

REASONABLE PREFERENCE

The law states that there are five groups of applicants to whom reasonable preference must be accorded:

- People who are homeless (within the meaning of Part V11 (7) of the Housing Act 1996, as amended by the Homelessness Act 2002)
- People who are owed a duty by any local housing authority under section 190 (2), 193(2), or 195 (2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985 or who are occupying accommodation secured by any housing authority under section 192 (3))
- People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds
- People who need to move to a particular locality in the district of the authority, where failure to meet the need would cause hardship (to themselves or others)

ADDITIONAL PREFERENCE

Lettings schemes may also allow additional preference to be given to:

- Applicants owed a homelessness duty as a result of violence or threats of violence likely to be carried out and who as a result require urgent rehousing.
- Those who need to move because of urgent medical reasons

This policy has been designed to ensure applicants who fall into the preference groups are awarded priority in the system.

4. APPLYING FOR A HOUSE – THE HOUSING REGISTER

Durham Key Options operates a common housing register between all partners. An applicant need only make one application to the scheme to bid on all homes advertised in accordance with entitlement rules.

The date of application will be the date of receipt by Durham Key Options. Applicants already registered prior to the inception of Durham Key Options will retain their original application date.

HOW TO APPLY AND WHO TO CONTACT

Applications to the Durham Key Options scheme can be made by the submission of a fully completed Durham Key Options application form via the following methods:

- Postal application form
- In a partner organisation's housing office
- Web application
- Home visit (where appropriate)

Assistance

Advice and assistance is available to any applicants when applying to, or using the Durham Key Options scheme.

Further details of where to seek support can be found in the Durham Key Options User Guide, a copy of which can be obtained from Durham County Council or any partner organisation.

Contact details

Contact details for all housing providers within the Durham Key Options scheme can be found in the Durham Key Options User Guide, a copy of which can be obtained from Durham County Council or any partner organisation.

WHO CAN APPLY

Durham Key Options will consider all applications from people aged 16 years and over, once a fully completed Durham Key Options application form has been received.

Schedule 1 of the Housing Act 1996 is designed so that Board Members, Officers and employees of Durham Key Options' partner organisations do not have a conflict of interest while carrying out their duties. Applicants are therefore required to disclose any such conflict of interest on the Durham Key Options housing application form.

VERIFICATION OF INFORMATION

Verification of an applicant's circumstances will be required at application stage, and also at time of offer, and will include the following information:

- Proof of identification to verify identity (for example National Insurance number, passport or drivers licence)
- Provision of a full housing history for the last 5 years, which will be checked for any breaches in tenancy terms for example rent arrears, unacceptable behaviour, eviction etc.
- Proof of residency where possible (for example utility bill, letter from the person who you are staying with etc.) Where not possible each case will be considered on its own merit
- References may be sought from former landlords as deemed necessary to demonstrate suitability to be a tenant.
- Proof of pregnancy
- Proof of joint residency of children is required in order to demonstrate the need for an additional bedroom. An applicant will not qualify for an additional bedroom(s) unless joint residency (50% of the time) is confirmed.
- Evidence of an applicant's immigration status

WHO WILL BE ELIGIBLE TO JOIN THE HOUSING REGISTER?

The following applicants will not be included on the housing register because the law does not allow Durham Key Options to allocate to the following groups of people:

Immigration

- Those subject to immigration control, unless they have refugee status or those who have exceptional or indefinite leave to remain or were the subject of a sponsorship undertaking, have been in the UK over five years and the sponsor is no longer living
- Anyone not habitually resident in the European common travel area
- EU nationals required to leave the UK by the government

Applicants on the housing register who wish to join the Durham Key Options scheme need to meet the requirements of section 160A of the Housing Act 1996. This deals with the immigration status of people who have come to the United Kingdom from abroad. The Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 set out who is eligible for assistance.

People who are not eligible to apply for housing under section 160A of the Housing Act 1996 (and any subsequent legislation) will not normally be considered for vacancies under this scheme.

Unacceptable behaviour:

Under s.160 (7)A of the Housing Act 1996, any applicant (or member of their household) will not be eligible to join the register if Durham Key Options is satisfied that the applicant, or a member of their household requesting to be housed:

- Has been guilty of unacceptable behaviour and the behaviour is serious enough to make him/her unsuitable to be a tenant and in the circumstances at the time the application is considered, the applicant remains unsuitable to be a tenant by reason of that behaviour

Unacceptable behaviour is further defined as:

Behaviour of the person or member of the household concerned which would (if he was a secure tenant of the authority) entitle the authority to an possession order under Section 84 of the Housing Act 1985 or any ground in Part 1 schedule 2 of the Act other than ground 8.

THE ELIGIBILITY TEST

There is a three-stage eligibility test to determine eligibility to join the housing register.

1. Has the applicant or member of the household requesting housing been guilty of unacceptable behaviour
2. Was that unacceptable behaviour serious enough to have entitled the housing provider to an outright possession order?
3. At the time of application, is the person still unsuitable to be a tenant of the housing a provider by reason of their behaviour or the behaviour of a member of their household?

Who will the test be applied to?

The eligibility test will be applied to the applicant, joint applicant or any member of their household when any of the following statements apply (this list is not exhaustive):

- Has been convicted of a drug related offence
- Has been convicted of a criminal offence involving violence which may be considered a threat to the local community
- Has any other conviction, which, in the opinion of Durham Key Options renders the person a threat to the community
- Has been convicted of a sex related offence which may be considered a threat to the local community
- Is the perpetrator of violence, domestic violence, or racial violence or harassment
- Has been abusive to, attacked or threatened staff
- Has a record of significant rent arrears to local authorities or other landlords

- Has a history of anti-social behaviour or is subject to an anti-social behaviour order
- Has previously been evicted on any of the grounds considered in Schedule 2 to the Housing Act 1985 or any statutory amendment or re-enactment of the same
- Has unsatisfactory tenancy reports

The outcome of the eligibility test will dictate whether the applicant is allowed on the housing register with a reduced preference applied (until they can demonstrate an improvement in behaviour that if the test were reapplied would result in the reduced preference being lifted), or is ineligible to join the housing register.

Where Durham Key Options decides that the applicant is not eligible to join the register, or if awarded a reduced preference (see section 5 Band F), the applicant will be notified of the decision and the grounds for making the decision. The applicant will also be advised of their right to review. Details of this process are included in Section 8 of this policy.

5. HOW NEED IS ASSESSED

BANDING DETAILS

To ensure that legal requirements are met as set out in the Housing Act 1996 (as amended by the Homelessness Act 2002) and the Communities and Local Government Allocation of Accommodation: Choice Based Lettings Code of Guidance for Local Housing Authorities, applicants will be placed into one of six allocation bands according to their assessed housing need.

The allocation groups are:

- Band A High priority need
- Band B Multiple housing need
- Band C Single housing need
- Band D General housing need
- Band E No housing need
- Band F Reduced preference

Within Bands A, B and C the '+' category confers priority to take account of degrees of severity within these bands.

A summary of the allocation bands and the eligibility criteria of housing need required for each band can be found in Appendix 1.

BAND A – HIGH PRIORITY NEED

All applicants qualifying within Band A will be assessed and placed into either Band A or Band A+ to differentiate level of need within this Band.

Priority for an offer of a property will always go to Band A+ before Band A. The secondary tiebreaker between applicants in the same band is date of application/priority date as outlined in this policy.

BAND A

Applicants with the following circumstances will be placed into Band A. Within this band, medical cases will always take priority over supply and demand transfers in the event of competing bids.

Urgent medical priority

Durham Key Options acknowledges the priority of applicants with medical conditions who require housing urgently and gives preference to these applicants by awarding Band A priority status where an applicant, or anyone to be rehoused with them, suffers from severe chronic illness (physical or mental) or disability, resulting in the person being unable to occupy their current property in an acceptable manner and where the medical assessment prioritises rehousing to be the most appropriate solution. The advice of an occupational therapist may be required to ensure best use of accommodation to meet the applicant's needs. Where it is necessary to take account of medical advice, Durham Key options may require the applicant to provide evidence from health or social care professionals who have direct knowledge of the applicant's condition.

Examples of this would be:

- The applicant (or member of the household) cannot be discharged from hospital because of the unsuitability of their current home
- The applicant (or member of the household) does not have access to toilet and/or bathing facilities
- The applicant (or member of the household) cannot manage the stairs in the current property, resulting in sleeping in a downstairs room, which is unsuitable because it has a gas appliance
- The current home cannot be adapted to enable the applicant (or member of the household) to access the property safely, provide wheelchair mobility within the home or to receive the necessary care and support
- The current home has a severe detrimental effect on the mental health of the applicant (or member of the household). Evidence would need to be provided by a consultant psychiatrist or appropriate health professional
- Features of, or the condition of the current home has a severe detrimental effect on the physical health of the applicant (or member of the household). Evidence would need to be provided by an appropriate health professional

Further details on the medical framework can be found in appendix 2.

The system of awarding urgent priority where there is a medical problem is closely tied to the suitability of the applicant's present home. There must be a clear link between the two. This means that there may be no priority status awarded even though the applicant has quite a severe medical condition. This does not mean that Durham Key Options does not recognise that the applicant has medical problems, but if their present accommodation meets their needs or a move is unlikely to help with those needs, then the applicant will not qualify for priority on medical grounds.

Supply and demand transfers

Some tenants of Durham Key Options partner organisations may be eligible for Band A placement to move more quickly, and to enable landlords to make best use of housing stock. For example where the property is under-occupied and is considered to be in high demand.

BAND A+

Priority for an offer of a property will always go to Band A+ before Band A. The secondary tiebreaker between applicants in the same band is date of application/priority date as outlined in this policy.

Applicants with the following circumstances will be placed into Band A+:

Regeneration schemes within County Durham

Regeneration priority is awarded to the following groups:

- Applicants losing their property on a permanent basis as a result of demolition/disposal within a designated regeneration area

This status is awarded with effect from the date that Durham County Council has made a final decision and agreed to demolition/disposal of the property within a designated regeneration area. Applicants must have lived in the property at the time of this decision to qualify.

Each demolition area may need to be managed on a scheme by scheme basis and additional letting criteria may apply in order to effectively manage the process. This information will be available to members of the public.

BAND B – MULTIPLE HOUSING NEED

All applications qualifying within Band B will be assessed and placed into either Band B or Band B+ to differentiate level of need within this Band.

Priority for an offer of a property will always go to Band B+ before Band B. The secondary tiebreaker between applicants in the same band is date of application/priority date as outlined in this policy.

BAND B

Applicants qualifying for this priority band must fall into more than one of the following reasonable preference groups:

Unsanitary, overcrowded or otherwise unsatisfactory housing

Applicants occupying unsanitary, overcrowded (one bedroom short of requirements) or otherwise unsatisfactory housing.

Applicants will appear in this band if their property is in a poor condition. This is where the property falls below the minimum standard for housing as defined by the Housing Act 2004.

In order to determine whether an applicant is considered to be overcrowded, a separate bedroom is required for the following:

- Single person in the household over the age of 18
- Single person in the household over 16, if it is not the family home
- Couples (or a bedroom each where required on medical evidence)
- Two children under the age of 10 (gender immaterial)
- Families with children of opposite sexes over the age of 10 are not expected to share

This priority will only be awarded where rehousing would resolve the overcrowding.

Medical/welfare

Applicants who need to move due to medical or welfare grounds in accordance with the medical framework for medical priority found in appendix 2 of this policy

The system of awarding priority where there is a medical problem is closely tied to the suitability of the applicant's present home. There must be a clear link between the two.

Where an applicant indicates that there is a medical condition an assessment may be carried out to determine how the applicant is managing in their current accommodation. The advice of an occupational therapist may be required to ensure the best use of accommodation to meet a person's needs. Where it is necessary to take account of medical advice, Durham Key Options may require the applicant to provide evidence from health or social care professionals who have direct knowledge of the applicant's condition.

Welfare grounds could include the need to be near family or friends for support reasons; people who have a learning disability and people who need to give or receive care.

Hardship

Applicants who cannot afford their current accommodation costs. This priority will be awarded only where an applicant has had their financial circumstances assessed in accordance with Durham Key Options financial assessment criteria.

Applicants who need to move to a different locality within County Durham in order to take up a particular employment, education, or training and where failure to relocate is causing/would cause hardship.

The exception to the requirement for multiple needs within this band is in the following cases where only one need is sufficient to qualify for inclusion into Band B:

Homeless applicants

Those applicants accepted as statutorily homeless with a full duty to be housed under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002) will be given Allocation Band B Multiple Housing Need status (even where homelessness is the sole housing need) for a three month period.

Supported housing/bed blocking in a supported scheme

Applicants who are currently living in intensive supported housing where their support plan identifies that they are ready to move on and are bedblocking.

Care Leavers

Where a duty is owed under the Children Leaving Care Act 2000.

BAND B+

Priority for an offer of a property will always go to Band B+ before Band B. The secondary tiebreaker between applicants in the same band is date of application/priority date as outlined in this policy.

Applicants with the following circumstances will be placed into Band B+:

High overcrowding/high medical

Applicants with multiple housing need who are overcrowded by two bedrooms or more, **or** are assessed as having high medical need (as outlined in appendix 2 of this policy).

Homeless applicants (as result of violence)

Those applicants accepted as statutorily homeless with a full duty to be housed under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002) as result of violence or threats of violence likely to be carried out and who as a result require urgent rehousing will be given Allocation Band B+ Multiple Housing Need status (even where homelessness is the sole housing need) for a three month period.

BAND C – SINGLE HOUSING NEED

All applicants qualifying within Band C will be assessed and placed into either Band C or Band C+ to differentiate level of need within this Band.

Priority for an offer of a property will always go to Band C+ before Band C. The secondary tiebreaker between applicants in the same band is date of application/priority date as outlined in this policy.

BAND C

Applicants qualifying for this priority band only need fall into **one of the following reasonable preference groups:**

Unsanitary, overcrowded or otherwise unsatisfactory housing

Applicants occupying unsanitary, overcrowded (one bedroom short of requirements) or otherwise unsatisfactory housing.

Applicants will appear in this band if their property is in a poor condition. This is where the property falls below the minimum standard for housing as defined by the Housing Act 2004.

In order to determine whether an applicant is considered to be overcrowded, a separate bedroom is required for the following:

- Single person in the household over the age of 18
- Single person in the household over 16, if it is not the family home
- Couples (or a bedroom each where required on medical evidence)
- Two children under the age of 10 (gender immaterial)
- Families with children of opposite sexes over the age of 10 are not expected to share

This priority will only be awarded where rehousing would resolve the overcrowding.

Medical/welfare

Applicants who need to move due to medical or welfare grounds in accordance with the medical framework for medical priority found in appendix 2 of this policy

The system of awarding priority where there is a medical problem is closely tied to the suitability of the applicant's present home. There must be a clear link between the two.

Where an applicant indicates that there is a medical condition an assessment may be carried out to determine how the applicant is managing in their current accommodation. The advice of an occupational therapist may be required to ensure the best use of accommodation to meet a person's needs. Where it is necessary to take account of medical advice, Durham Key Options may require the applicant to provide evidence from health or social care professionals who have direct knowledge of the applicant's condition.

Welfare grounds could include the need to be near family or friends for support reasons; people who have a learning disability and people who need to give or receive care.

Hardship

Applicants who cannot afford their current accommodation costs. This priority will be awarded only where an applicant has had their financial circumstances assessed in accordance with Durham Key Options financial assessment criteria.

Applicants who need to move to a different locality within County Durham in order to take up a particular employment, education, or training and where failure to relocate is causing hardship.

Homeless people *not* owed the duty to be housed under part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002)

Homeless applicants who do not qualify to be placed in bands A or B because they have no priority need or are intentionally homeless (i.e. are not owed a full duty to be housed under the Housing Act 1996)

Band C also includes applicants who fall into the following group:

Armed forces

Applicants leaving the armed forces who do not fall within the criteria of the homelessness legislation and have served five years or longer or who have been medically discharged

BAND C+

Applicants with the following circumstances will be placed into Band C+:

Priority for an offer of a property will always go to Band C+ before Band C. The secondary tiebreaker between applicants in the same band is date of application/priority date as outlined in this policy.

Applicants with the following circumstances will be placed into Band C+:

High overcrowding/high medical

Applicants who are overcrowded by two bedrooms or more **or** are assessed as having high medical need (as outlined in appendix 2 of this policy).

BAND D – GENERAL HOUSING NEED

Applicants who have a housing need which is not one of the statutory preference groups, or other identified housing need groups as set out within bands A, B and C above. For example:

- Applicants living in and wishing to live independently with no other housing need
- Applicants needing larger accommodation (outside of the overcrowding criteria as detailed in Band B above) with no other housing need
- Relationship breakdown with no other housing need
- Applicants threatened with homelessness within three months, in order to prevent actual homelessness

BAND E – NO HOUSING NEED

Applicants who are currently adequately housed and so do not have any housing need as defined by the criteria laid out for Bands A, B, C or D above, but are eligible to join the Durham Key Options housing register.

BAND F – REDUCED PREFERENCE

Applicants who have been allowed to join the housing register but had their preference within the scheme reduced as a consequence of outstanding rent arrears (not caused by exceptional hardship) or unacceptable behavior will be placed into Band F from their original date of application, until such time that Durham Key Options is satisfied that the applicant's behaviour has sufficiently improved.

The applicant will then be placed into the appropriate priority Band within this scheme according to housing need. This will take effect from the date that the applicant is awarded the higher Band.

6. PROPERTY ENTITLEMENT RULES

PROPERTY TYPE & SIZE

Information on property entitlement can be found in Appendix 3

There are cases where a deviation from policy is required to ensure good management of the stock and flexibility. For example:

- In areas where there is a surplus of a specific type of housing accommodation
- The age limit on elderly persons flats and bungalows will be lowered if a property is not successfully let after two advertising cycles, or if there is surplus available to ensure best use of stock
- The qualifying household size can be adjusted if a property is not successfully let after one advertising cycle, to ensure best use of stock

LOCAL LETTINGS POLICIES

In some cases in County Durham the social housing provider may introduce a time limited local lettings policy, normally of 12 months. This is necessary:

- In areas where a specific type of housing accommodation is in short supply
- To ensure a balanced community and prevent anti-social behaviour, for example to prevent an over-predominance of young people within an area or type of property
- To take into account rural or city centre related issues with regard to demand and affordability

Details on these local lettings policies will be published on the Durham Key Options website, and are available on request from partner organisations. Please see the Durham Key Options User Guide for contact details.

7. HOW PROPERTIES WILL BE OFFERED

THE CHOICE BASED LETTINGS SCHEME

Advertising

Durham Key Options will advertise all available properties through the choice based lettings scheme.

Adverts will state which of the allocation bands will be given preference for each property.

Properties will be advertised on a weekly cycle with a banding 'label' attached indicating which Bands will receive priority for which properties. Details on the banding system can be found in full within section 5 and a summary in appendix 1 of this policy.

Applicants can express an interest or 'bid' for properties in accordance with the entitlement rules. After the close of advertising applicants are shortlisted in accordance with this policy.

Bidding

Applicants can bid on properties using a variety of methods including:

- On the Durham Key Options website
- Contacting a partner organisation housing office in person or by telephone
- Using the automated telephone bidding line
- By text message
- Through automatic bidding in the case of particularly vulnerable applicants
- Through an advocate via one of these listed methods

Shortlisting

Applicants within Band A are eligible for all properties via the choice based lettings scheme in the first instance.

A quota system gives the majority of properties to those in greatest housing need, but also a much smaller proportion of properties to those applicants with lower level needs. Properties adapted to meet medical needs are not included in this quota system in order that properties are let appropriately.

This quota-based lettings system will be applied to Bands B, C and D only. The computer system automatically determines which properties go to which of these bands to ensure fairness and transparency.

The quota is not rigid and is subject to regular review.

Applicants in Bands E and F will only be considered if there are no bids received from applicants registered in Bands A to D.

At the close of the weekly advertising cycle, the computer generates a shortlist of applicants in accordance with this policy.

Making an offer

The successful applicant will be contacted and given details of the offer. If an applicant is successful for multiple properties in one advertising cycle, the applicant will be required to identify their preferred choice of one property. At this point, the applicant's circumstances will be verified in accordance with this policy to ensure that there has been no material change in circumstances. If it is found that there has been a material change which would have resulted in a demotion to lower band, the offer will be withdrawn and the applicant's circumstances reassessed.

Feedback

Feedback is published on the number of bids, banding of successful applicants and date of application/priority date to ensure that all lettings made are open and transparent. This enables applicants to assess their likely success and inform decision making on realistic housing options.

TIE BREAKER

Band A

Those applicants registered in Band A and Band A+ will be eligible to bid for all properties and will always be considered in the first instance. The secondary tiebreaker between applicants in the same band is date of application/priority date as outlined in this policy.

Bands A, B and C

In the event of a number of qualifying households from the same allocation Band bidding for the same property, a '+' category has been incorporated into each of these bandings which takes preference over the rest of that respective band. Therefore A+ takes preference over Band A, Band B+ takes preference over Band B, and Band C+ takes preference over Band C. The secondary tiebreaker between applicants in the same band is date of application/priority date as outlined in this policy.

Bands D, E and F

In the event of a number of qualifying households from the same allocation Band bidding for the same property within Bands D, E and F, the property will be allocated to the applicant with the earliest registration date within that band in accordance with this policy. The tiebreaker between applicants in the same band is date of application/priority date as outlined in this policy.

DIRECT OFFERS

In certain exceptional circumstances a property may be allocated directly to an applicant. The property identified will still be advertised alongside other available properties. This is to ensure transparency within the scheme, but it should be noted that applicants will not be able to bid.

Such cases will be agreed by the partner organisation. Examples of when this will occur include:

- direct lets in homelessness cases in accordance this policy (see below for more information on these cases)
- the allocation of a significantly adapted property
- allocations within areas with special management needs (as referred to under Local Letting Policies in Section 6 of this policy)
- allocation of a property to Prolific and other Priority Offenders (PPOs) and Schedule 1 Offenders etc.
- cases of succession to a tenancy where the property is inappropriate to the successors needs
- any other exceptional cases

REFUSAL OF OFFERS

A suitable offer is an offer of a property that meets the applicants' assessed need within the framework of this policy.

There are no penalties for refusing offers of accommodation, with the exception of the refusal of a direct offer. The partner organisation will consider the appropriate action on a case by case basis.

OFFERS TO STATUTORY HOMELESS APPLICANTS

Statutory homeless applicants are granted an initial three month period in which to bid. There are no penalties for refusing offers of accommodation during this period. However, after the three month period has expired, any refusal of a reasonable offer of accommodation whether via a successful bid on a property on the applicants' part, or via a direct offer as outlined above, will result in the duty being discharged. The application is then re-assessed and placed into the appropriate band with no statutory duty to house considered. There is a right of appeal as detailed in section 8 of this policy.

Where no suitable properties become available, or bidding is unsuccessful during the three month period, the priority period will be extended for a further three months or until such time as an appropriate property becomes available. If after this time accommodation has not been secured then a direct offer will be made in an area as close to the applicants' areas of choice as possible. This process may be continued until suitable accommodation is secured.

Appeals against homeless decisions or suitability of an offer are not dealt with by Durham Key Options. An applicant should contact Durham County Council's Housing Options Team for details.

ADAPTED PROPERTIES

There are many properties within County Durham that have been specially adapted for the benefit of disabled people.

Examples of adaptations include ramps, stairlifts, through-floor lifts, walk-in showers or adapted kitchens.

Adapted properties will be allocated to ensure the most appropriate applicant is rehoused.

These properties will be advertised through Durham Key Options and open for bids from any applicants in Bands A-F. The quota system does not apply to adapted properties. The property will be let to the applicants with the highest and most suitably matched needs according to the medical framework. In these cases advice from an occupational therapist or other appropriate medical specialist may be required.

Significantly adapted properties may be allocated on a direct let to ensure best use of housing stock to meet severe medical need.

NOMINATIONS TO OTHER REGISTERED SOCIAL LANDLORDS

Durham Key Options is committed to working in partnership with Registered Social Landlords to create sustainable communities within the strategic framework set out in the sub-regional Housing Strategy. This helps to maximise the pool of social housing advertised through the Durham Key Options scheme.

Durham Key Options operates a common nominations agreement which sets out how Registered Social Landlords engage with the scheme.

MUTUAL EXCHANGES

Tenants with secure or assured tenancies have the right to exchange their property as long as they comply with their tenancy obligations and meet the relevant statutory conditions. This can be with another secure or assured tenant.

Introductory/starter tenants do not have an automatic right to exchange.

LETTINGS OUTSIDE OF THIS POLICY

Some housing providers may advertise their properties through the Durham Key Options scheme, but let those properties using criteria outside of this policy.

Properties to which this applies are:

- Private rented properties
- RSL properties let outside of the nominations agreement
- Some Low Cost Home Ownership schemes

8. NOTIFICATION AND APPEALS PROCESS

NOTIFICATION

Every applicant for housing has the right to ask for information, which will enable them to assess how their application is likely to be treated.

On applying for housing each applicant will be notified if they are eligible to join the housing register and be advised which allocation Band they will be placed into.

Every applicant also has the right to information about the availability of housing which will meet their needs and the likely waiting time for a suitable property to become available.

APPEALS PROCESS

Every application made in accordance with the requirements set out in this document must be considered through the Durham Key Options scheme. This includes:

- An application for assistance from a person presenting as homelessness
- An application for housing in accordance with this policy

Reasons for appeal

Applicants are entitled to an appeal in the following circumstances:

- If it is decided that a person is ineligible to join the register due to their unacceptable behaviour
- Where applicants feel they have been unfairly treated in the allocation process. This could include an appeal against an offer of accommodation, or against the allocation Band awarded

- Where applicants have been removed from the register other than at their own request (see section 8 of this policy)

The appeal process

In all cases the applicant will be given 21 days to request an appeal from the date that they receive notification in writing. In cases of non-receipt by the applicant, the notification is also deemed as having been delivered if it is made available at the offices for a reasonable period for collection in accordance with section 160A of the Housing Act 1996.

Durham Key Options operates a two-stage appeal process. Whilst the appeal is ongoing, the applicant will retain their assessed status until the outcome of the appeal. No property will be held, pending the outcome of an appeal.

The appeal process is structured as follows:

STAGE ONE

Where an applicant requests an appeal of a decision, they will be invited to submit any further written representations or new information which could have a bearing on the appeal. This should be submitted to the original decision making body. 14 days will be given to supply this information.

In exceptional circumstances an oral hearing may be required to attempt to resolve more complex cases. An applicant would be invited to an oral hearing and will be advised whether and by whom they may be represented at such a hearing.

The appeal will be considered by an Officer not involved in the original decision. Applicants will be notified in writing of the decision and of the reasons for this decision within eight weeks of the original request for appeal.

STAGE TWO

Where the applicant is not satisfied with the outcome of Stage One, the applicant must make further written representation to the Head of Housing at Durham County Council within 21 days.

In exceptional circumstances an oral hearing may be required to attempt to resolve more complex cases. An applicant would be invited to an oral hearing and will be advised whether and by whom they may be represented at such a hearing.

Applicants will be notified of the decision in writing and of the reasons for this decision within eight weeks of the stage one request for appeal.

This decision will be final and no further appeal will be heard except where applicants have the right to appeal to County Court on a point of law within 21 days. The applicant will be advised if this is the case.

CHANGE OF CIRCUMSTANCES

The applicant is required to advise Durham Key Options of any change in household circumstances that may affect banding placement, type of property required, or need for additional advice or support on housing options.

This could include:

- Change of address
- A member of the household no longer wishing be included on the application
- Additional member(s) of the household
- Relationship breakdown
- A new physical or mental health problem/disability that affects housing need
- Worsening/improvement of an existing physical or mental health problem/disability that affects housing need

This information must be provided in writing, which could be on a change of circumstances form, by visiting a partner organisation direct, by letter, by email, or on the web based change of circumstances form found on www.durhamkeyoptions.co.uk

Where a change of circumstances means a change in allocation band, the following rule will apply. If the application is given higher priority and moves up the system, this will be from the date that Durham Key Options is notified of this change. This is called 'priority date'. If the application goes down in priority, the original application date will remain.

An offer of a property may be withdrawn if it is found that an applicant's circumstances have changed and would have resulted in a reduction of priority within the banding scheme. The applicant's new circumstances will be assessed and appropriate revised banding awarded. The applicant will be notified in writing.

UPDATING APPLICATIONS

Durham Key Options will write to each applicant 12 months after registration and every 12 months thereafter, to ensure that details on housing circumstances are up to date, and that the applicant still wishes to participate in the scheme. This will ask whether:

- The applicant still wishes to, and is still eligible to apply for housing
- There has been any change of circumstances

The letter gives 28 days from receipt to supply the information required, and indicates that applications will be cancelled if applicants:

- Fail to respond in the specified period
- No longer wish to apply for housing

REMOVAL FROM THE HOUSING REGISTER

Applicants will be removed from the register if any of the following occur:

- They request to be removed
- They accept an offer of accommodation
- They fail to reply to a request for further information after 28 days or to confirm that they are still interested in rehousing after 28 days

- They illegally occupy a property owned by a social housing provider without express permission
- They or a member of the household to be rehoused with the applicant becomes ineligible in accordance with this policy
- It is found that false information has been given on the application form or in any supporting information

A decision as to whether an applicant is removed from the register will be made based only on the known facts.

Before deciding to remove an applicant from the register, other than at their own request or on accepting an offer of accommodation, the partner organisation must advise the applicant in writing why it is considering removing them. The partner organisation must also ask if there are any reasons why the applicant should not be removed and allow the applicant 28 days to reply.

When a decision is made to remove an applicant from the register, Durham Key Options must advise the applicant in writing as to why they have been removed and of the Right to Appeal.

9. MONITORING

MONITORING

Durham Key Options will monitor the scheme to assess:

- whether the scheme is meeting its aims and objectives and working well
- whether changes need to be made
- whether the policy complies with the duty to give reasonable preference
- whether the scheme is satisfying equality and diversity issues

Durham Key Options will monitor more closely the bidding behaviour of applicants within Bands A and B in order to ensure that applicants in the greatest housing need are effectively engaging with the scheme.

The policy may be changed or departed from in exceptional circumstances only, for example in the event of a direct let or the use of local lettings policies in agreement with the Head of Housing.

The policy will be reviewed on an annual basis and will be the responsibility of Durham County Council's Head of Housing.

FALSE INFORMATION/FAILURE TO PROVIDE INFORMATION

Section 171 of the Housing Act 1996 makes it an offence for anyone seeking assistance from the landlord to:

- knowingly or recklessly give false information,

- knowingly withhold information, which the social housing provider reasonably requires in connection with an application for housing.

Such offences can be committed in providing false information:

- on or about an application form,
- in connection with re-registration or a change in circumstances,
- during the proceedings of a review, or any other circumstances which affect an application for housing.

A person guilty of an offence under Section 171 is liable to a fine of up to £5,000. The social housing provider can seek possession of a tenancy, which has been granted as the result of a false statement by the tenant or anyone acting on the tenant's instigation.

COPIES OF THE LETTINGS POLICY

This policy is available for inspection by members of the public from any Durham Key Options partner organisation, and is also available on the website www.durhamkeyoptions.co.uk.

The policy is available in a variety of languages and formats on request.

APPENDIX 1

HOUSING NEED BANDS

Within Bands A, B and C below, the '+' category is given priority. For example, Band A+ is given priority over Band A.

ALLOCATION GROUP	QUALIFYING CRITERIA
<p>Band A</p> <p>High priority need</p>	<p>Applicants within this band are eligible for all properties via the choice based lettings scheme in the first instance in cases of:</p> <ul style="list-style-type: none"> • Urgent medical reasons • Supply and demand transfers <p>Urgent medical cases are given priority over supply and demand transfers.</p>
<p>Band A+</p> <p>High priority need</p>	<ul style="list-style-type: none"> • Regeneration schemes within County Durham
<p>Band B</p> <p>Multiple housing need</p>	<p>Applicants with multiple housing needs.</p> <p>More than one of the following preference groups:</p> <ul style="list-style-type: none"> • Applicants occupying unsanitary, overcrowded (one bedroom short of requirements) or otherwise unsatisfactory housing • Applicants who need to move due to medical or welfare grounds in accordance with the medical framework for medical priority found in appendix 2 of this policy <p>Applicants who need to move to a particular locality to avoid hardship</p> <p>Or;</p> <p>One of the following groups:</p> <ul style="list-style-type: none"> • Homeless applicants accepted as statutorily homeless with a full duty to be housed under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002) • Applicants living in intensive supported housing their support plan identifies ability to successfully move into an independent tenancy

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- Care leavers

Band B+
Multiple housing need

Applicants with multiple housing needs including at least one of the following high level needs:

- Applicants who need to move due to high medical need (outlined in appendix 2 of this policy)
- Applicants overcrowded by at least two bedrooms

Or;

- Homeless applicants accepted as statutorily homeless with a full duty to be housed under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002) due to violence or threat of violence

Band C
Single housing need

Applicants who fall into **one** of the following preference groups:

- Applicants occupying unsanitary, overcrowded (one bedroom short of requirements) or otherwise unsatisfactory housing
- Applicants who need to move due to medical or welfare grounds in accordance with the medical framework for medical priority found in appendix 2 of this policy
- Applicants who need to move to a particular locality to avoid hardship
- Non-statutory homeless who do not have multiple housing needs.

The following group is also considered under Band C:

- Applicants leaving the armed forces who do not fall within the criteria of the homelessness legislation and have served five years or longer or who have been medically discharged
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-

<p>Band C+</p> <p>Single housing need</p>	<ul style="list-style-type: none"> • Applicants who need to move due to high medical need (outlined in appendix 2 of this policy) • Applicants overcrowded by at least two bedrooms
<p>Band D</p> <p>General housing need</p>	<p>Applicants who have a housing need <i>not</i> in line with the statutory preference groups and therefore do not meet the criteria for Bands A, B or C as follows:</p> <ul style="list-style-type: none"> • Applicants wishing to live independently with no other housing need. • Applicants needing larger accommodation (outside of the overcrowding criteria) with no other housing need. • Relationship breakdown with no other housing need. • Applicants threatened with homelessness within three months, in order to prevent actual homelessness
<p>Band E</p> <p>No housing need</p>	<p>Applicants who are adequately housed and have no housing need.</p>
<p>Band F</p> <p>Reduced Preference</p>	<p>Applicants with a reduced preference within the scheme as a consequence of outstanding rent arrears (not caused by exceptional hardship) or unacceptable behavior</p>

APPENDIX 2

MEDICAL FRAMEWORK

Applicants are awarded medical priority to reduce the detrimental effect of current housing on the health of the applicant or a member of their household. The priority will only be awarded where rehousing will alleviate this detrimental effect.

MEDICAL CRITERIA

URGENT MEDICAL PRIORITY

- The applicant (or member of the household) cannot be discharged from hospital because of the unsuitability of their current home
- The applicant (or member of the household) does not have access to toilet and/or bathing facilities
- The applicant (or member of the household) cannot manage the stairs in the current property, resulting in sleeping in a downstairs room, which is unsuitable because it has a gas appliance
- The current home cannot be adapted to enable the applicant or member of the household to access the property safely, provide wheelchair mobility within the home, or to receive the necessary care and support
- The current home has a severe detrimental effect on the mental health of the applicant (or member of the household). Evidence would need to be provided by a consultant psychiatrist or appropriate health professional
- Features of, or the condition of the current home has a severe detrimental effect on the physical health of the applicant (or member of the household). Evidence would need to be provided by a health professional

Severe detrimental effect = hospitalised and cannot be regulated by medication.

HIGH MEDICAL PRIORITY

- The applicant (or member of the household) has significant difficulty managing the stairs in their current property (even with adaptations) resulting in difficulty accessing toilet and/or bathing facilities
- The applicant (or member of the household) cannot manage the stairs in their current property, resulting in sleeping in an unsuitable downstairs room
- The current home has a significant detrimental effect on the mental health of the applicant (or member of the household). Evidence would need to be provided by a consultant psychiatrist
- Features of, or the condition of, the current home has a significant detrimental effect on the physical health of the applicant (or member of the household). Evidence would need to be provided by a health professional

- The applicant is currently living in suitable accommodation but needs to move nearer relative/friends in order to receive care/support, and this care/support will enable them to continue to live independently and failure to do so may result in an applicant going into care.

MEDICAL PRIORITY

- The applicant (or member of the household) has difficulty managing the stairs in their current property (even with adaptations) resulting in difficulty accessing toilet facilities
- The applicant (or member of their household) has difficulty using bathing facilities in their current home which cannot be adapted to overcome the problem
- The current home has a detrimental effect on the mental health of the applicant (or member of the household). Evidence would need to be provided by a mental health professional
- Features of or the condition of the current home has detrimental effect on the physical health of the applicant (or member of their household). Evidence would need to be provided by a health professional.
- The applicant has difficulty managing the upkeep of their current property and does not have other members of the household who are able to assist
- The applicant is currently living in suitable accommodation but needs to move nearer to relatives/friends in order to receive support to alleviate the effects of their medical condition

APPENDIX 3

PROPERTY ENTITLEMENT CHART

	BEDSIT	1 BED FLAT	1 BED FLAT (age criteria)	1 BED FLAT (SHELTERED)	1 BED BUNGALOW	2 BED FLAT	2 BED FLAT (age criteria)	2 BED BUNGALOW	2 BED HOUSE	2 BED MAISONETTE	3 BED FLAT	3 BED BUNGALOW	3 BED HOUSE	3 BED MAISONETTE	4 BED HOUSE	5 BED HOUSE	6 BED HOUSE	SHELTERED UNIT
SINGLE*	Green	Green	Yellow	Yellow	Yellow	Green	Yellow	Yellow	Green	Green	Red	Red	Red	Red	Red	Red	Red	Red
SINGLE OVER 60 YEARS	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Red	Red	Red	Red	Red	Red	Red	Green
SINGLE UNDER 60* (at least one with medical)	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Red	Red	Red	Red	Red	Red	Red	Green
SINGLE + 1 CHILD/PREGNANT/ACCESS*	Red	Red	Red	Red	Red	Green	Yellow	Yellow	Green	Green	Yellow	Yellow	Yellow	Yellow	Red	Red	Red	Red
COUPLE*	Red	Green	Yellow	Yellow	Yellow	Green	Yellow	Yellow	Green	Green	Red	Red	Red	Red	Red	Red	Red	Red
COUPLE OVER 60 (at least one must be over 60 years)	Red	Green	Green	Green	Green	Green	Green	Green	Green	Green	Red	Red	Red	Red	Red	Red	Red	Green
COUPLE UNDER 60 (at least one with medical)*	Red	Green	Yellow	Yellow	Green	Green	Yellow	Yellow	Green	Green	Red	Red	Red	Red	Red	Red	Red	Yellow
2 ADULTS OVER 60 (non-couple)	Red	Red	Red	Red	Red	Green	Green	Green	Green	Green	Yellow	Yellow	Yellow	Yellow	Red	Red	Red	Red
2 ADULTS under 60 (non-couple)*	Red	Red	Red	Red	Red	Green	Yellow	Yellow	Green	Green	Yellow	Yellow	Yellow	Yellow	Red	Red	Red	Red
HOUSEHOLD + 1 CHILD/PREGNANT/ACCESS*	Red	Red	Red	Red	Red	Green	Yellow	Yellow	Green	Green	Yellow	Yellow	Yellow	Yellow	Red	Red	Red	Red
HOUSEHOLD + 2 CHILDREN*	Red	Red	Red	Red	Red	Yellow	Yellow	Yellow	Yellow	Yellow	Green	Yellow	Green	Green	Red	Red	Red	Red
HOUSEHOLD + 3 CHILDREN*	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Green	Yellow	Green	Green	Yellow	Red	Red	Red
HOUSEHOLD + 4 CHILDREN*	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Yellow	Yellow	Yellow	Yellow	Green	Green	Yellow	Red
HOUSEHOLD + 5 CHILDREN*	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Yellow	Green	Green	Red

* Pregnancy of an applicant or a member of their household/joint residency of children may affect entitlement to property type/size.

Please seek further advice from a Durham Key Options partner landlord.

Automatic entitlement
 Entitlement subject to individual circumstance and availability of properties
 No entitlement

