

# Allocations Policy Summary

November 2014

London Borough of Brent



# Introduction

The Allocation Scheme was published in 2012, following revisions to the previous Scheme made in line with the Localism Act 2011. This summary incorporates further changes to the Scheme, agreed by the council in November 2014. The supply of affordable housing in the borough is limited, with the majority provided by Registered Providers (usually referred to as housing associations), who work in partnership with the council to manage and build housing. Although the council and its partners aim to maximise provision of new homes, demand in Brent runs far ahead of supply, meaning that the council must put arrangements in place to manage the way that housing is allocated. This is done through the Housing Register, which allows the council to assess and prioritise applications for housing. The aim of this Scheme is to set out a fair, logical and transparent approach to doing this that complies with the legal requirements set out by government and responds to local circumstances and needs.

## Who can apply and how does it work?

The Scheme aims to:

- Help those in the most housing need
- Give due priority to those with a long standing attachment to the borough
- Recognise the contribution of working households

Anyone aged 16 years or over and resident in Brent (see below for more detail) can apply to join the Register. However, owing to the severe shortage of affordable housing, many households who apply will not have any priority under this scheme and therefore will not have any realistic chance of obtaining a home. Those that do not qualify will be offered help to pursue alternative housing options, including private renting and low-cost home ownership options.

The application will include you, your spouse or partner, and the members of your family under 21 years of age who would normally live with you (some exceptions apply and are summarised later). Once your application is accepted, you be awarded a priority band (A-C) and a priority date if you are considered to have a housing need under the terms of the scheme and meet the other conditions that apply. You will then be able to bid for homes that are advertised by Brent Council and Registered Provider Partners operating in West London. For each advertised property, the applicants that bid are placed in order of priority according to their band and waiting time, and in most cases the highest ranking household will be offered the property.

The Housing Register is reviewed regularly to ensure that it is an accurate representation of demand and does not include households who no longer wish to be considered or who have found alternative solutions. Also, households who no longer qualify under the revised Scheme, or who are not actively bidding on Locata will be advised that their application will be reviewed. In some situations, this may lead to the application being suspended and households will be advised if this is the case. In line with the powers granted to the council under the Localism Act 2011, the council will normally discharge its duties to households accepted as homeless after 9th November 2012 through an offer of suitable private rented accommodation.

## Qualification Criteria

### RESIDENCY RULE

- All applicants must currently be living in the borough and have continuously lived here for a period of 5 years or more prior to joining the register to qualify. Those who are homeless within the meaning of Part VII of the Housing Act 1996, to whom the London Borough of Brent has accepted a full housing duty will be required to meet the residency criteria prior to being able to bid for properties, or until they meet the average waiting time for the property of the appropriate size, whichever is the shortest time.

### EXCEPTIONS TO THE RESIDENCY RULE:

- Existing secure or fixed term tenants of the London Borough of Brent
- Young people leaving care and referred to Brent Council Children's Services and assessed by the panel (whether or not they currently live in Brent)
- Serving and former members or widows of members of the armed forces and reserved forces

whether or not they currently live in the borough

- Those residing in supported housing schemes commissioned by the London Borough of Brent
- Persons in prison whose last settled address was in the borough

## WORKING APPLICANTS

Applicants in employment are recognised within the allocation policy and awarded additional priority if:

- At least one adult member of the household is employed
- The employment satisfies the DWP's criteria for claiming Working Tax Credit (or equivalent):
  - 30 hours per week for a single person
  - 16 hours per week for a lone parent
  - 24 hours per week for a couple, where one party must work at least 16 hours
- Employed on a permanent contract: Applicant has been working 9 out of 12 months prior to joining the register, or working 9 out of 12 months at any time that their application is live, and at point of offer of a social home
- Or, employed on temporary contracts or Self Employed: working for 2 years prior to joining the register or at any time that their application is live, and at the point of offer of a social home

An additional 5 years waiting time will be added to the priority date for those who qualify.

## ASSET/INCOME THRESHOLD

Household income will be taken into consideration. Applicants at or above the income thresholds for each bedroom category detailed below will not qualify to join the register as they are deemed to have sufficient financial resources to secure alternative housing.

1 bed need	2 bed need	3 bed need	4 bed+ need
£35,000	£45,000	£55,000	£70,000

Applicants who own their homes in this country or abroad, or with savings of £50,000 and over, are also unlikely to qualify for housing unless there is an extenuating need.

## UNACCEPTABLE BEHAVIOUR OR ACTIONS

Applicants involved in serious anti-social or criminal behaviour may not qualify for housing.

This includes:

- Being a nuisance or annoyance to neighbours
- Breach of tenancy including illegal or immoral use of the property
- Serious deterioration in the condition of the property resulting from the applicant or a member of their current or prospective household
- The applicant or a member of the household having obtained a tenancy fraudulently.

## PRIORITY DATE

When applicants fall within the same band, priority is determined through their priority date. Initially, an applicant's priority date will correspond to the date they registered to join the housing register. Priority dates may alter when an applicant moves up and down bands or in the case of working households as described above.

## THE BANDING SYSTEM

All applicants will be assessed and banded according to their housing need.

**BAND A:** URGENT NEED TO MOVE OR RELEASING ADAPTED OR LARGER PROPERTIES

**BAND B:** A NEED TO MOVE

**BAND C:** NEED TO MOVE – REASONABLE PREFERENCE BUT WITH REDUCED PRIORITY

Applicants who do not meet the criteria for band A, B or C will not be able to bid for properties on Locata. These applicants will be directed to Brent's targeted housing options website for information about alternative housing options.

BAND A	QUALIFICATION CRITERIA
Decants	Brent Council tenants where the property is imminently required (within 9 months) because of lease expiry or for essential work (e.g. redevelopment scheme) as agreed by the Operational Director of Housing and Employment. Brent Council tenants who need to be moved to allow major repairs or full scale rehabilitation/ conversion work to be carried out.
Emergency Medical	Emergency banding granted only in exceptional circumstances as recommended by the Medical Officer, when the applicant/tenant or member of their household has a life threatening condition, which is seriously affected by their current housing.
Management Transfer	Agreed in exceptional circumstances by the Allocations Panel due to significant and insurmountable problems associated with a Brent tenant's occupation of a dwelling and there is imminent risk to the tenant or their family if they remain in the dwelling.
Exceptional Social Grounds	Agreed in exceptional circumstances by the Allocations Panel due to significant and insurmountable problems associated with the applicant's occupation of a dwelling and other avenues to housing have been exhausted. This will include Homeless households who are owed a homeless duty by Brent under Housing Act 1996 Part VII section 193(2).
Statutory Duty	Private sector tenants where the Council's Private Housing Services has determined that the property poses a Category 1 Hazard and a Closing Order has been issued. Furthermore, the Allocations Panel is satisfied that there is no alternative solution and that the problem cannot be resolved by the landlord within 9 months.
Social Services (Children in need)	To enable fostering or adoption by Brent residents where agreement has been reached to provide permanent accommodation on the recommendation of the Director of Brent's Children's Services and agreed by the Operational Director of Housing and Employment.
Release Adapted Property	Where a Brent Council or RP tenant is willing to transfer to a suitable nonadapted property and is releasing an adapted property and where the vacant property is given to Brent Council under a reciprocal agreement.
Under occupation Incentive Scheme	Where a Brent Council tenant is willing to move to an alternative property and is giving up one or more bedrooms. Where a RP tenant is resident in Brent under an assured tenancy and is willing to move to smaller accommodation and where the vacant property is given to Brent Council under a reciprocal agreement.
Succession to tenancy	Where succession has occurred and the succeeding tenant is willing to move to alternative smaller accommodation in line with succession policy as agreed by the Allocations Panel.
Housing Register	Urgent need to move agreed by housing in liaison with social services/police/other welfare agency, to give or receive care or support for child protection reasons or other urgent social/ welfare reasons as assessed and agreed by the Allocations Panel.
Former Service Tenants	Council employees who have been a service tenant for at least five years prior to August 1st 1990 and need to be moved from accommodation which goes with the job but who retire due to old age or medical reasons, or who are made redundant as part of a Council decision.

BAND B	QUALIFICATION CRITERIA
Urgent Medical	An urgent medical need as recommended by the Medical Officer where the current housing of an applicant or a member of the applicant's household is having a major adverse effect on their medical condition. It will not apply where the effect of housing conditions on health is comparatively moderate, slight or variable.
Management Transfer	Agreed in certain circumstances by the Allocations Panel due to fear of violence or reasonable fear of violence, and/or due to exceptional social, educational or economic circumstances associated with a Brent tenant's occupation of a dwelling and there is a serious risk to the tenant or their family if they remain in the dwelling.
Statutory Overcrowding	Where Brent Council tenants have been assessed as being statutorily overcrowded in accordance with Part X of the Housing Act 1985
Stonebridge Regeneration	Tenants of the Stonebridge Regeneration Scheme nominated to the Council through the nominations agreement.

Sheltered Housing	Those who require sheltered housing or designated older person accommodation
Armed Forces	Ex-member of Armed Forces in accordance with regulations
Quota	As agreed under the Quota policy for the following services (employment exceptions may apply): <b>Children Leaving Care</b> - Young people referred by Brent Social Services who are unable to make alternative arrangements. <b>Probation Service</b> - Applicants nominated to Brent Council by the Probation Service to avoid the risk of reoffending and where housing is a particular issue as judged by the Probation Service in Brent. <b>Children Services</b> - Existing tenants and non-tenants referred by Brent Social Services where accommodation is needed on grounds of children's welfare e.g. child protection cases. <b>Adult Social Care</b> - To release supported housing and approved for independent living by Brent Social Services and The Housing Department. <b>Voluntary Sector</b> – To release supported housing but not known to Adult Social Care, and approved for independent living by Brent StartPlus and Housing Needs. <b>Young People</b> in employment or apprenticeships

BAND C	QUALIFICATION CRITERIA
Homeless	Homeless households who are owed a homeless duty by Brent who are occupying long term temporary accommodation provided under Housing Act 1996 Part VII section 193(2). Other homeless households where the above duty applies but the customer is not in temporary accommodation.
Qualifying Offer	Households whose acceptance date precedes 9th November 2012, who have voluntarily accepted a Qualifying Offer into the Private Rented Sector bringing an end to the Homeless Duty will retain their Band C and their homeless acceptance date as a priority date.
Severe Overcrowding	Where an applicant is lacking 2 or more bedrooms
Poor conditions	Where a Brent resident is living in poor accommodation and this has been assessed and accepted by the Private Housing Services.

## BEDROOM ENTITLEMENT

In order to make the best use of the available housing stock, it is essential to let available properties to those who need that size and type of property. When deciding the size of the property for which applicants qualify, the standard set out below will be used.

Under this standard, a separate bedroom is allocated to:

- Each married, civil partnership or co-habiting couple
- Any other person aged 21 years or over (that is allowed to be included on the application, except in the case of accepted homeless households where adult children will be expected to share a bedroom with siblings of the same sex).
- Each pair of children or young people aged between 10-20 of the same sex.
- Each pair of children under 10, regardless of their gender
- Any unpaired person aged between 10-20 is paired, if possible with a child under 10 of the same sex, or, if that is not possible, he or she is given a separate bedroom, as is any unpaired child under 10

An applicant's household will only include members of their immediate family who normally live with them (or who would live with them if it were possible for them to do so) or other people who have extenuating need to live with them. Immediate family includes:

- The applicant
- The applicant's spouse or partner. Partner means anyone who lives with the applicant as their partner or who would live with them as a couple if they were able to do so
- Dependant children including children where the applicant has a legal guardianship and children that are adopted or fostered, if they are under the age of 21 and live with the applicant all the time, or for four or more nights every week. The applicant will be required to provide the London Borough of Brent with formal papers upon request (e.g. court order) and documentation relating to any agreement that is currently in place regarding residency.

If there is an extenuating circumstance to include non-dependant adults aged over 21, the applicant will be required to provide further information and evidence about why they need to be considered as part of the household; for example, they are giving/receiving care.

#### **EXCEPTIONS**

If an applicant has been accepted as statutorily homeless by the London Borough of Brent, a household will include all members who were on the original homelessness application. In these circumstances, adult children will be expected to share a bedroom with a sibling of the same sex regardless of age.

Where an underoccupying social housing tenant is seeking to move to smaller accommodation, adult children may be included on the application.