

## Lettings and Allocations Policy

### 1.0 Aim of the Policy

1.1 Coastline owns and manages over 5,000 homes across Cornwall. We know that demand for housing far exceeds supply, and our ability to meet this demand is limited by the number of vacancies that become available, as well as the size, type and location of these homes.

1.2 This policy sets out how we will provide opportunities for our customers and potential customers who need to move, and how we work in partnership with Cornwall Council to allocate our homes in a fair, transparent and regulatory compliant way.

### 2.0 Introduction

2.1 This document details Coastline's Allocation and Lettings Policy which commits us to offering its homes based on housing need and customer choice.

2.2 To this end, Coastline is a signatory to Cornwall Council's Choice Based Lettings scheme – Cornwall Homechoice – and is an active member of the Cornwall Homechoice Partnership.

2.3 We also work in partnership with other Registered Providers to deliver affordable housing across Cornwall. The individual management agreements cover the relevant details in each case.

2.4 We work in partnership with Cornwall Council to let our homes in line with the nomination agreement and any other legal restrictions such as Section 106 agreements.

### 3.0 Legislation, Statutory Regulatory duties & references

3.1 This policy has been written with regard to the following:

- Relevant Housing Acts, as amended by the Localism Act 2011;
- The Regulator of Social Housing's Consumer Standards;
- Domestic Abuse Act 2021;
- Equality Act 2021;
- Charter for Social Housing Residents 2020;
- Immigration Act 2014 (Right to Rent); and
- Tenant Satisfaction Measures 2021.

### 4.0 Principles of the Policy in brief

4.1 Coastline offers a variety of housing tenure types to meet a range of needs in Cornwall. This policy explains how we allocate our social and affordable rented homes, including our rented housing for older people and Rent to Buy. We have other policies which apply to our Supported Housing, Extra Care scheme, Home Ownership homes (including leasehold and shared ownership) and temporary accommodation and as such these are excluded from this Allocations and Lettings Policy.

4.2 Through this policy we aim to:

- Provide access to affordable, good quality homes for those in housing need, providing the right home to the right person at the right time, with the right support in accordance with their needs;
- Allocate and let our homes in a fair and transparent manner in a way which is easy to access and understand, with appropriate monitoring and reporting systems;
- Offer people as much choice as possible over where they wish to live;
- Provide opportunities for our customers who need more suitable housing to move home;
- Make the best use of our available homes and contribute to stable and balanced communities;
- Let tenancies that are sustainable in that customers can take on the responsibility of a tenancy, including all the costs of running a home;
- Let properties effectively and efficiently to minimise the time our homes are empty and recognise the impact of high tenancy turnover on achieving sustainable communities and operational costs, and control this where necessary;
- Ensure our lettings are compatible with the purpose of the housing; for example by ensuring people with specific disabilities are priorities for adapted or adaptable homes;
- Assist Cornwall Council in their strategic duties and responsibilities (including in line with existing nomination agreements) to secure homes for people in housing need; and
- Let homes in line with our charitable objectives.

4.3 We have included definitions of some of the key terms used in this policy at **Appendix A**.

## 5.0 Routes to a Coastline home

5.1 The majority of our homes are allocated through a choice-based lettings (CBL) approach (Cornwall Homechoice) as required by the Consumer Standards. This is a transparent, fair, and consistent method way for applicants to select a home that best meets their needs.

5.2 A proportion of homes are allocated to applicants who are nominated by the local authority in accordance with the nominations agreements we have - usually through the CBL scheme.

5.3 A small proportion of homes available for re-letting may be allocated through alternative routes. These include direct matches of existing customers to vacancies to meet their emergency or priority housing needs that cannot be met or met quickly enough through the CBL route, such as to enable move-on from temporary accommodation, or in cases of domestic abuse. These moves are approved by a senior manager.

5.4 In a situation where a property is less popular, we may advertise and let these homes as 'difficult to let' and promote them in additional places to increase the profile and interest.

5.5 Whichever route applicants use to apply for a Coastline home, including making an application through the CBL scheme, there is always a need to demonstrate that Coastline's eligibility criteria have been met.

5.6 **Local authority nominations** – Cornwall Council has nomination rights over a number of our homes in accordance with historic stock transfer agreements or grant funding for new developments. We ensure that the relevant proportion of our vacant homes are let to households nominated by local authorities under the agreed nomination arrangements. Lettings advertised and completed through CBL, are regarded as equivalent to local authority nominations

5.7 **Employees, Board Members and those closely connected to them** - All applicants are asked to declare if they are an employee (or have been in the previous 12 months), are a Board or Committee Member or closely connected to either an employee, Board or Committee Member. If this is the case, these applicants receive the same consideration as any other applicant and we may provide accommodation where:

- the applicant is in housing need and meets the allocations criteria;
- the applicant has applied for housing through Cornwall Homechoice (as Coastline is unable to consider direct applications);
- There has been no involvement or influence over the allocation decision; and
- no one with direct personal knowledge of the applicant is involved in the assessment decision.

Close scrutiny will apply to all such potential allocations and any allocations will require impartial review with Executive Director level written approval in all cases. In specific cases such as a letting to a colleague or their close connections where that colleague works in 'housing' or 'development' or any senior manager Board level written approval is also required.

## 5.7 **Housing need and eligibility**

5.7.1 To apply for a Coastline home, applicants will need to demonstrate that they meet our eligibility criteria.

5.7.2 To be eligible for a Coastline home applicants will need to:

- Be in housing need and find it difficult to access privately rented housing or to buy a home because, for example, of low income, or other personal circumstances;
- Demonstrate that they are ready and willing to fulfil the obligations of the tenancy, including those to pay the rent on time and respect the property and neighbourhood;
- Show us that they can afford the rent, taking account of income, benefit entitlements and financial commitments;
- Be willing to accept and engage with housing support if it is considered necessary to enable them to sustain the tenancy and pay for it;
- Be suitable for the vacancy in terms of age, household composition, past tenancy history and any vulnerabilities;
- Usually be at least 18 years old. In exceptional circumstances we will let homes to people aged 16 or 17 who have a trustee and where possible, a guarantor;
- Have the mental capacity to enter into a tenancy agreement and, if not, have someone with the relevant Power of Attorney who can support them in making this decision;
- Be habitually resident and have the "right to rent" in the UK; and

- Hold an immigration or settled status that enables them to remain in the UK with a 'right to rent' for the duration of the tenancy term.

5.7.3 If an applicant is a homeowner and has been assessed as eligible for social housing, they will be expected to be actively selling their existing home, or if this is not possible, must be able to provide supporting evidence as to why it is not.

5.7.4 **Older Persons** Coastline owns and manages housing which has specific design features making it suitable for older people. We will let these homes only to people who are:

- i. Aged 55 plus (or aged 50 for some specifically designated individual properties); and/or
- ii. Have a support need

We may consider applicants aged between 50 and 55 for schemes who meet the following criteria:

- Currently in receipt of the middle or high rate of the care and/or mobility component of Disability Living Allowance, ESA or PIP; and
- Have a specific need for support services that cannot be delivered to an equivalent standard in general needs accommodation.

Applicants under the age of 50 could only be considered under exceptional circumstances, with agreement of a member of the Executive Team and must meet the criteria above. All customers of housing for older people are expected to engage with the Okay Each Day Service and will receive at least the minimum level of support via this service.

5.7.5 **Extra Care** In addition to our older persons' housing, we also manage Extra Care schemes for older people requiring an element of care as well as support. Extra Care properties are let to applicants nominated by a multi-agency panel. Where there are no suitable nominations, we may advertise Extra Care vacancies through alternative methods including CBL.

## 5.8 **Assessment and allocation**

5.8.1 In accordance with the Homechoice scheme, an applicant's housing need will be assessed against agreed criteria and a banding of housing priority will then be awarded to them.

Coastline will shortlist applicants who have bid for individual properties and undertake a pre-tenancy assessment and verification with each applicant to check the applicants' circumstances including;

- A Right to Rent check to ensure that all occupants have the legal right to rent a home in the UK;
- A financial assessment to ensure the property is affordable, and
- An assessment of support needs.

The pre-tenancy assessment will identify the need for any success plan or referral agreements to be put in place to support an applicant with managing any aspects of the tenancy.

- 5.8.2 In certain circumstances, the eligibility verification will be carried out at a home visit. If the verification is satisfactory then a formal offer may be made, subject to authorisation by an appropriate Housing Manager.
- 5.8.3 New customers will be required to give authority for a credit check to be completed, to assess their financial background, and be advised as part of the verification process that they are required to pay a minimum of the first period's rent before the start of their tenancy i.e. four weeks or one month of rent.
- 5.8.4 We aim to undertake an accompanied viewing of the property with the applicant prior to acceptance and sign-up.
- 5.8.5 Where a verification reveals that an applicant's details are not as stated on their application form or are false, (including an incorrect declaration under 5.6), their offer will be withdrawn, and another application assessed from the scheme.
- 5.8.6 If an applicant obtains a Coastline tenancy based on false information, we will take legal action to end the tenancy as tenancy fraud, unless there are mitigating circumstances. We will advise Cornwall Homechoice of any such decision as it may affect the customer's ability to seek social housing in Cornwall

## 5.9 Refusing an application

- 5.9.1 There are some reasons why we may not be able to offer you a home. For example, if we are not satisfied that you have a reasonable chance of sustaining the tenancy, with or without appropriate support, we will decline your application. We will only do so after fully considering your individual circumstances. We will explain our reasons for our decision and provide advice on what you can do to bid successfully for our homes in the future. You can find out more about the reasons why we might decline your application in the additional guidance which accompanies this policy. More detail on our reasons for refusing an application is at **Appendix B**.
- 5.9.2 If your application is unsuccessful, you have the right to appeal our decision and ask us to review your case. You must provide us with additional information as to why you feel our decision was wrong. We do not hold properties vacant whilst appeals are considered.

## 5.10 Making best use of our housing

- 5.10.1 We will generally offer you a home which meets the size needs of your household.
- 5.10.2 If you are applying through CBL you will have your property size requirements determined by Cornwall Council. In general, we will make offers of accommodation based on their assessment and under-occupation room rate ("bedroom tax") criteria. If you are expecting another child, we will take this into account.
- 5.10.3 Except in the circumstances set out below we will not normally offer you a home bigger or smaller than you need and/or where you will be affected by the housing benefit under-occupation deduction ("the bedroom tax").
- 5.10.4 Some of the circumstances where we may offer you a home which is outside of the current size and type guidelines include:
- You are downsizing from a larger home;

- You need a large family home of a type which is currently unavailable or is limited, and where the local authority agrees that the move would improve your current living circumstances;
- It is standard practice for the property type concerned, for example schemes of two-bedroom bungalows that are designated for people over 60;
- There is a local lettings plan or planning requirement in place that allows us to do so;
- Where we consider our own customers to have an exceptional need due to serious health, social or disability issues and where that need has not been met through the Choice Based Lettings system;
- There is low/no demand for the home from other households who would meet the occupation size and type criteria;
- There is low demand for the home, and you are a separated parent who has regular care responsibilities, and this is having a significant impact on the health and well-being of your child(ren); and
- Where a property has disabled adaptations and we are unable to let to an applicant requiring the adaptations who also meets the full bedroom requirement, we may under occupy to someone who needs the adaptations.

## 5.11 **Creating great places to live**

5.11.1 Some of our homes, particularly those that are newly built or those in rural areas, have planning, legal or funding restrictions, known as Section 106 agreements, that give priority to local people. We let these homes in line with the agreements that are in place.

5.11.2 In some circumstances we will also agree a Local Lettings Plan for a neighbourhood. Our Local Lettings Plans may give preference to particular customer groups depending on the needs of that locality. Our Local Lettings Plans are time-limited and help to ensure our neighbourhoods are great places to live.

5.11.3 We may apply specific criteria to the allocation of an individual home to avoid concentrations of similar household types in one block or part of an estate or to avoid lifestyle clashes. Our aim is to deliver a sustainable tenancy through the best possible fit between a person's housing needs and the home they are offered and considering the interests of the wider community.

5.11.4 Where any issues or a redevelopment of a particular scheme arise in a particular neighbourhood, Coastline may seek to work with Cornwall Council, to propose a specific 'local lettings plan' to help address and resolve any problems that may exist.

## 5.12 **Direct Lets**

5.12.1 We recognise that sometimes there are good management reasons for giving customers the opportunity to transfer and we may agree to move a tenant, and to giving additional priority for a vacancy, where an existing customer;

- Is under-occupying,
- Is the victim of a hate crime or domestic violence and is at risk of serious harm;

- Occupies a property with specific facilities or support services and no longer needs them;
- Has a medical need for a transfer to a lower floor and wishes to remain at the same development;
- Has asked to move, and we believe that a move would resolve a serious management issue such as a neighbour dispute; and
- Has to be moved either permanently or temporarily to enable emergency, major repairs or re-development to their home or disposal of their home . In these cases, we will consider offering a vacancy directly to an existing tenant (Direct Let). We will not normally consider transferring customers who have outstanding arrears of rent or are otherwise in breach of their conditions of tenancy, including the conditions requiring the tenant to look after their home. However, each case will be assessed on an individual basis to identify exceptional reasons to support a discretionary move where tenancy breaches are identified.

### 5.13 **Adapted homes**

5.13.1 Where one of our homes has been significantly adapted for the needs of a disabled person, we will try to let the property to a person or household that requires the aids and adaptations. However, we recognise that the specific nature of many adaptations and individual customer needs may mean that re-use is not always possible; for example, Coastline will always remove stairlifts when a property becomes empty because this adaptation would have been specifically provided to the previous customer following an Occupational Health referral, enabling the incoming customer to be re-assessed for a suitable adaptation.

5.13.2 We will offer homes that may require new or further adaptations before your household moves in. You will need to demonstrate that the tenancy will be sustainable for you and that the adaptations are possible by providing medical or supporting evidence. The tenancy will commence when ready to let and will not be held pending adaptations unless there is a funded agreement.

### 5.14 **Property investment and viability**

5.14.1 Where a property has been identified as suitable for an investment and viability review, we may seek to sell it to enable investment in new homes and, if necessary, support the customer to move to another suitable property.

5.14.2 Permission for a move may only be granted as a direct let by a member of the Executive Team of Coastline.

5.14.3 You may be accepted for a 'direct let' if your need cannot be met through the CBL system. If required, we will work with you and other relevant agencies to meet your housing needs. We also support our customers in how to find mutual exchanges through our membership of a national exchange scheme.

## 6.0 **Equality, Diversity and Inclusion**

6.1 Coastline is committed to fair and equitable housing policies and to providing equal opportunities for all when allocating properties. The circumstances of all housing applicants

will be assessed objectively according to their housing and other diverse needs and as a result, exceptions may be considered to the size of property allocated to the applicant.

- 6.2 Coastline is opposed to direct or indirect discrimination and recognises the need for appropriate systems to actively prevent discrimination based on race, colour, ethnic or national origins, gender, age, sexuality, mental status, religion, physical disability or mental health.

We will contribute to regular lettings summaries via Cornwall Council's website.

## **7.0 Cross reference / working in partnership / links to other Policies**

- 7.1 This policy has been written with regards to the following:

- Complaints Policy
- Neighbourhood Management Policy/Procedures
- Tenancy Policy
- Anti-social Behaviour Policy/Procedures
- Group Probity Standard

- 7.2 A comprehensive set of procedures are in place to implement the principles of this policy and this detail the processes that the Lettings Team follow.

## **8.0 Monitoring, review and compliance**

- 8.1 We have a full commitment to this policy and will ensure appropriate training is given to all relevant colleagues.

- 8.2 This policy will be made widely available to customers and stakeholders.

- 8.3 We will review customer feedback, look for trends and hotspots and identify areas for service improvement on a continuous basis so that we improve the value for money of services being delivered.

- 8.4 This policy will be reviewed every three years, or earlier in line with any legislative, regulatory, or good practice changes.

- 8.5 To ensure compliance with this policy, we will carry out an internal audit of allocations within this policy period.

- 8.6 In line with the Homechoice Partnership agreement, and to comply with the Regulator of Social Housing's Tenancy Standard to let our homes in a fair, transparent and efficient way, we will participate in analysis of all our lettings, by bid, direct let, transfers and other types of allocation.

- 8.7 As part of our commitment to the Homechoice Partnership, we will make available all necessary information and data required to support the smooth and effective running of the Homechoice Scheme.



## Appendix A – Definition of Terms

**Affordable Rent** – homes built or converted under any Homes & Communities Agency Affordable Rent and Homes England funding programme

**Anti-Social Behaviour** - action or behaviour that has caused or is likely to cause harassment, alarm or distress to another person

**Choice Based Lettings** - schemes operated by local authorities enabling applicants to bid for properties advertised by registered social landlords

**Difficult to Let** – properties or schemes advertised through Choice Based Lettings which have generated little or no demand, or which have been refused on several occasions because of the type or location of the property or scheme

**Housing Need** - We consider applicants to be in Housing Need if they:

- Are homeless or threatened with homelessness, or living in accommodation, which is temporary or occupied on insecure terms, or
- Live in unsatisfactory living conditions for example the home is in disrepair, or
- Live in a home which is no longer suitable for the household for example overcrowding, under occupying, household's mobility needs which cannot be met in the current home, or
- Need to move because the current home is unaffordable for the household, or
- Need move to provide or receive care or take up an offer of employment.

**Housing Support** – ongoing, non-residential support for customers with support needs

**Intermediate Rent** – homes provided for a particular client group where a sub-market rent in excess of target rent may be appropriate; for example, working households

**Local Lettings Plans** - a time limited plan for the allocation and letting of homes within a specific Neighbourhood. A local lettings plan allows us to be more flexible in allocating homes to meet specific local issues. We include additional criteria which are considered when allocating homes, for example, we may under-occupy property, where there are concerns about density levels to achieve a balanced community or include criteria that aim to reduce the likelihood of anti-social behaviour.

Where we agree local lettings plans, we will do this in consultation with partners and publish details of the additional criteria when we advertise a vacant home. In addition, for individual homes we may adopt a '**sensitive lettings**' approach which exclude some customers from being considered. We will do this to manage specific issues, such as lifestyle clashes or where a property has become vacant following a period of serious nuisance or anti-social behaviour

**Nomination Agreement** – a legal agreement between Coastline and Cornwall Council (as local authority) which sets out how vacant homes will be let. A nomination agreement gives the local authority the right to use a percentage of Coastline's homes that become vacant to house those in housing need in accordance with the Council's Allocations Policy.

**Referral Agreements** – agreements with support agencies under which we provide a certain number of lettings, or lettings at specific properties, for their clients.

**Rent to Buy** – a scheme that helps customers to save for a deposit to buy a home by offering properties at a discount (normally 20% below market rent).

**Section 106 agreement** – when new homes are developed special planning criteria may set out how the homes will be allocated in the future which may be a variation to standard lettings priorities. This legal agreement between Coastline and Cornwall Council as Local Authority may give priority to particular groups of applicants. This could be to applicants who have a Local Connection to a particular area/parish or may be applicants within certain age range for example over 55 years of age.

**Sensitive Let** a property which will be allocated with specific criteria on this one occasion due to the history and tenancy conduct of the former tenant

**Success Plan** – a pre-tenancy assessment of an applicant's ability to successfully sustain a Coastline tenancy. We then can support potential customers to prepare for a tenancy.

**Tenancy Fraud** - the occupation of a property by an unauthorised person/persons with the tenant no longer in occupation

**Vulnerable Applicant** – any applicant who; \*'..is or may be in need of services by reason of mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or serious exploitation.'  
(\*Who Decides,' Lord Chancellor's Department 1997.)

For this policy, this definition also includes applicants with a history of alcohol and/or drugs abuse

## Appendix B – Refusal Reasons

Coastline will not accept an application for a tenancy from:

- a) Someone who does not have the Right to Rent under Immigration Act 2014 (part 3, chapter 1)
- b) People aged 16-18 years, unless they have an adult guarantor who will hold the tenancy in trust and guarantee the rent until the applicant turns 18
- c) People who do not have capacity to enter into a tenancy agreement unless someone has the Power of Attorney to act on their behalf
- d) An applicant where there is reliable evidence, they, or someone in their household, has been guilty of the following in the three years prior to the application. Sources of such evidence will include but not be limited to the Police, the Courts, other landlords and the local authority:
  - Serious or persistent breaches of the terms of a current or previous tenancy
  - Anti-social behaviour
  - Criminal activity
  - Threatening behaviour
- e) An applicant who is threatening or abusive to colleagues during the allocations process
- f) People who have a support need that makes them likely to be unable to sustain a tenancy and we do not have evidence that support will be available when the tenancy starts, or there is evidence they will not engage with the support
- g) People who do not meet or cannot provide suitable evidence of a local connection criteria
- h) People who currently hold a Coastline tenancy and are in breach of its terms
- i) People who have held a Coastline tenancy and have an unpaid debt. The exceptions to this are where they are moving to a smaller home because a reduction in welfare benefits has made the current home unaffordable. Current tenants must have had a clear rent account for at least three months at the time of application and are expected to clear any debt accrued since registering their application prior to an offer of rehousing.
- j) People who owe rent arrears to a previous landlord. Rent arrears of less than one month's rent may be considered where evidence of an acceptable repayment plan can be provided
- k) People where a financial assessment shows the property is unaffordable for them
- l) People whose circumstances do not comply with our Charitable Objectives
- m) People who do not submit sufficient evidence to fully and accurately assess their suitability for a tenancy or particular property. The onus is on the applicant and support network to provide the evidence in the set timescales
- n) Where an applicant has readily available assets such as cash or cash equivalents or an annual net income over those defined in the Homechoice eligibility criteria we will carry out an assessment of their ability to purchase or privately rent a home suitable for their needs within their area of choice. Offers to applicants in this situation will need the approval of Head of Housing Services or member of the Executive Team of Coastline.

This is not a definitive list and Coastline may decide to refuse an application for housing for a reason outside of these definitions. The Tenancy Manager or Housing Manager will need to approve the refusal in these circumstances. There will be a right of appeal to the Head of Housing Services or Customer Voice & Experience Manager. If the applicant is not satisfied with the outcome of the appeal, they may raise this via our Complaints Process.