

Lettings Policy

1.0 Aim / Purpose of the Policy

- 1.1 The policy aims to ensure that Coastline let homes in a fair and transparent manner to applicants who can demonstrate a housing need in line with our charitable objectives.
- 1.2 Coastline work in partnership with Legal and General Affordable Homes (LGAH) to deliver affordable housing across Cornwall. This policy also applies to properties owned by LGAH and managed by Coastline.
- 1.3 The policy does not cover Shared Ownership properties, Crisis or Supported Accommodation (with the exception of Tarn West) or garages.

2.0 Background / Introduction

- 2.1 The Lettings Policy was last updated in 2018 but the most recent review has been carried out following some key changes in approach. The policy has also been re-written to be less procedural and a separate Lettings Procedure will be produced to support this policy.
- 2.2 The main change to previous policies was the withdrawal of membership of the Cornwall Homechoice partnership in April 2017. There remains a contractual requirement to make available a proportion of homes to the local authority through nomination.
- 2.3 Through the large scale voluntary transfer (LSVT) agreement, the Council has a 50% nomination right to homes which transferred to Coastline Housing in 1998. Furthermore, there is a range of agreements in place that cover new build homes, where the Council has 100% nominations rights of the first let, sliding to 75% for five years, and then 50% in perpetuity.

3.0 Legislation, Statutory Regulatory duties & references

- 3.1 As a Registered Provider, it is important that all tenancies let are sustainable and affordable, open and transparent, within the prescription of legislation and the spirit of regulatory framework.
- 3.2 Elements of case law relating to the following legislation affect the allocation and letting of social housing and consideration is given to the following:
 - Data Protection Act;
 - Welfare Reform and Work Act;
 - Asylum and Immigration Act;
 - Children (leaving care) Regulations;
 - Civil Partnership Act;
 - Equality Act;
 - Housing (Homeless Persons) Act;
 - Homelessness Reduction Act;
 - Housing Act;
 - Housing and Planning Act;
 - Human Rights Act;
 - Mental Health Act;
 - Section 106 of the Town and Country Planning Act;

- Sex Discrimination Act;
- Supporting People;
- Localism Act;
- Anti-social Behaviour Act;
- Armed Forces Act;
- Children Act;
- Family Law Act;
- Immigration Act;
- Immigration and Asylum Act;
- National, Immigration and Asylum Act;
- Land Compensation Act;
- Landlord and Tenant Act;
- Local Government Act;
- Local Government and Housing Act;
- Matrimonial and Family Proceedings Act; and
- Mental Capacity Act.

3.3 The Homes and Communities Agency published a new regulatory framework in April 2015 which is made up of:

- regulatory framework requirements – what registered providers need to comply with;
- code of practice – a code of practice can amplify any economic standard to assist registered providers in understanding how compliance might be achieved; and
- regulatory guidance – this provides further explanatory information on the regulatory requirements and includes how the regulator will carry out its role of regulating the requirements

4.0 Main Principles / Policy Detail / Policy Statements Objectives / Principles

4.1 The objectives of the policy are to:

- Let homes to applicants who demonstrate the ability to sustain their tenancy;
- Assist Cornwall Council to meet its statutory duties and assist in its homelessness prevention agenda;
- Offer choice, giving reasonable preference to priority need where possible;
- Meet legal, regulatory and contractual requirements;
- Let homes in accordance with Section 106 Agreement requirements;
- Enable transfers by Coastline customers where their existing circumstances are unsustainable;
- Enable and promote moves from the Coastline Homeless Service to enable continuous movement within the service;
- Ensure all lets undertaken are open and transparent;
- Let homes efficiently;
- Facilitate necessary conversions of social rents to affordable rents at re-let to support the development of new homes in line with relevant grant funding agreements;
- Facilitate the disposal of homes where customers choose to move to alternative accommodation; and

- Work with Cornwall Council and other partners in meeting the adaptation needs of applicants where required and where possible.

4.2 Tenancies

- 4.2.1 The default tenancy offered will be Lifetime tenancies with the exception of large properties (four plus bedrooms), disabled adapted properties and Rent to Buy. These will continue to be offered Fixed Term Tenancies along with any applicants who present as being at high risk of being unable to sustain their tenancy. Detail on the different types of tenancies offered can be found in the Tenancy Policy.
- 4.2.2 In exceptional circumstances, a licence may be offered where there is a justifiable reason, i.e. significant previous offences and need for ongoing support, for example, with substance misuse, to ensure that the customer can sustain their licence before being offered a tenancy. These will be authorised by the Income Theme Lead or Head of Housing Services.
- 4.2.3 Monthly tenancies are also now the default with the exception of Extra Care and Homeless properties. A month's rent in advance is required on monthly tenancies.
- 4.2.4 There should not be any exceptions to the requirement of rent in advance. In cases of extenuating circumstances, the Income Theme Lead may authorise a customer to sign up to the property and pay the rent in advance through an ongoing agreement.
- 4.2.5 Applicants struggling to afford the rent in advance will be directed to various funding streams for assistance with this payment.

4.3 Affordability

- 4.3.1 The Government's policies have adversely affected many customers, with their financial situations squeezed by the introduction of benefit caps and reduction of benefit entitlement, the introduction of the removal of the Spare Room Subsidy, Housing Benefit (HB) and the roll out of Universal Credit (UC). Furthermore, the amount of rent some new customers have to pay has increased with the introduction of affordable rents, so it is essential that we ensure that applicants are able to afford their new tenancy before an offer is made.
- 4.3.2 Every applicant is required to complete a full assessment of their income and expenditure which takes into account all income and expenses, including benefits, pensions, maintenance etc.
- 4.3.3 A credit check will be carried out on all applicants to check their credit risk score and to ensure that they are managing any debts they may have. We will also establish that repayment plans are affordable and that the tenancy remains affordable.

4.4 Accessing a home

- 4.4.1 Homes advertised and let through Cornwall Homechoice, via nominations or bids, and homes let through HomeHunt are governed by this Lettings Policy. The Policy also provides guidance and direction in respect of 'direct matches' and 'management transfers', which are managed through the HomeHunt platform.
- 4.4.2 There are a number of ways of accessing a Coastline home:
- Nominations and bids from Cornwall Council through Cornwall Homechoice;

- Bids for advertised homes through HomeHunt, which is a national web based platform for advertising a broad range of social and affordable housing options;
- Decants, where existing customers are temporarily or sometimes permanently rehoused whilst major work is being completed on their current home; or
- Mutual exchange, where a customer may assign their tenancy to another qualifying social tenant – often advertised through Homeswapper. Mutual exchanges are administered in accordance with the Mutual Exchange Policy.

4.4.3 Extra Care accommodation, supported accommodation, Rent to Buy properties and flats at Garlidna are not governed by this section of policy, and may be advertised and let through other methods.

4.5 Extra Care

4.5.1 Vacancies within our Extra Care homes will be let through a range of options, including agencies such as the Health Authority, Adult Social Care and Support, the housing options team and self-referral depending on the applicant's circumstances. Assessments are made by the Extra Care Monitoring Group to assess suitability. Homes at the Extra Care schemes will be let in accordance with funding arrangements and the numbers of customers with high, medium and low support and care needs will be dictated by that arrangement. For operational reasons, in some instances, a property may not always be offered to the applicant most in need.

4.5.2 Applicants moving into Extra Care may have capital from owning their own home. It is reasonable to expect the applicant to dispose of their existing property in order to fund their care and support charges. These applicants will not be subject to the same capital and income levels at Appendix B.

4.6 Tarn West

4.6.1 Flats at Tarn West are let outside the lettings process highlighted previously in this policy.

4.6.2 Flats at Tarn West are for pregnant mothers or young families, whom the Council has either accepted a duty to rehouse or is investigating a presented case of homelessness.

4.6.3 Due to the nature of the accommodation and associated rent and service charges, Rent in Advance is not required from customers moving into Tarn West. They will be supported to build a buffer on their account to prepare them for moving to permanent accommodation.

4.6.4 Housing need will take priority over credit checks and affordability outcomes but these will still be carried out to determine support needs and areas to be addressed in order to be able to sustain a future tenancy.

4.6.5 The rent and service charges at Tarn West are high and could be regarded as a disincentive for residents at Tarn West finding gainful employment; moving away from benefit dependence.

4.6.6 In order to assist a transfer from Tarn West into more permanent general needs accommodation, additional priority may be awarded at the discretion of the Income Theme Lead or Head of Housing Services where a property is advertised through Homehunt.

4.6.7 All residents in Tarn West are advised to register with Cornwall Homechoice and HomeHunt and to actively bid for appropriate properties advertised.

4.7 Contractual Right to Buy

- 4.7.1 Customers who transferred to Coastline (formerly Kerrier Homes Trust) from Kerrier District Council in 1998 were offered a contractual Right to Buy, as part of the Large Scale Voluntary Transfer consultation document.
- 4.7.2 These customers will have had the contractual Right to Buy added to their first tenancy agreement with Coastline (Kerrier Homes Trust) and may exercise their Right to Buy in the same way as a secure tenant of a local authority.
- 4.7.3 The contractual Right to Buy remains with the customer as long as they have continued to live in Coastline properties. If they have moved away from Coastline and subsequently returned to Coastline, their contractual Right to Buy will have been withdrawn.
- 4.7.4 Customers with a contractual Right to Buy will retain this right if they transfer or mutually exchange to another Coastline property, unless the property into which they move has been constructed after 1 January 2009, the beginning of Coastline's development programme.
- 4.7.5 If a customer who had a contractual Right to Buy, but has had it withdrawn because they have moved into a home constructed after 1 January 2009, transfers into a Coastline property constructed before 1 January 2009, their contractual Right to Buy may be reinstated.

4.8 Shortlisting

- 4.8.1 HomeHunt will automatically shortlist applicants by 3 sets of criteria:
 - Housing priority need – this determines the applicant's housing need.
 - Preference Labels – these will highlight specific requirements connected to the vacancy, such as age restrictions or local connection; and
 - Time in current need - i.e. the time that an applicant has been registered in their band.
- 4.8.2 Banding based on need will be ordered from 'U' to 4, according to housing priority need; 'U' (Urgent) being the highest housing priority need:

Banding name	Priority
Band U Urgent Housing Need	Highest priority need
Band 1	High priority need
Band 2	Medium priority need
Band 3	Low priority need

- 4.8.3 All applicants will have a housing priority need of 3 (lowest priority need) unless criteria at 4.8.4, 4.8.5 or 4.8.6 applies.
- 4.8.4 Applicants will be awarded housing priority need 2 (medium priority need) if they:
 - Are Homeless, or at immediate risk of homelessness;

- Are under or over occupying their current home by one or more bedrooms;
- Require to move for evidenced medical or welfare reasons;
- Require to move to access or provide care and/or support from, or to a close friend or relative;
- Need to move to be closer to a place of education, employment or training; or
- Are a serving or former member of the armed forces.

4.8.5 Applicants will be awarded housing priority need 1 (high priority need) if they need to move because they:

- Are a victim of, at risk of, or under threat of violence, abuse, hate crime, racial harassment, domestic abuse but are not in significant and immediate danger;
- They are a current Coastline Homeless Service client and have been identified as ready to move on by their support worker;
- They are under or over occupying a Coastline property by two or more bedrooms; or
- They are living in a property identified for disposal by Coastline, and they would like to transfer. Applicants subject to this factor will have their banding enhanced during the shortlisting process.

4.8.6 Applicants will be awarded housing priority need U (Urgent Housing Need) if they need to move because:

- They need to escape serious domestic abuse or other violence or threat of violence, serious harassment or a traumatic event where there is immediate and serious risk to the household. The Police or an appropriate agency following a Multi-Agency Risk Assessment Conference (MARAC) must provide evidence to support the need for an emergency move;
- There is an urgent wellbeing/health need and the current accommodation is completely unsuitable meaning that should the applicant remain in it or return to it, the effect on their health would be critical and can only be avoided by an urgent move to alternative accommodation.

4.8.7 Applicants will be given this priority for 4 weeks. If a Band U – Urgent Housing Need applicant does not make bids for suitable homes available through Homehunt or Homechoice (or refuses a suitable offer of a property) they will have their status reviewed and may be placed in one of the other bands dependent on their need. Where a suitable property has not become available or in very exceptional circumstances an applicant will be allowed to remain in Band U for longer than 4 weeks.

4.8.8 Please note, cases of domestic abuse and harassment where applicants are not considered to be at immediate and serious risk will be awarded Band 1, high priority need.

4.8.9 Supporting evidence will be required in order for an applicant to be awarded Band U or Band 1 priority need.

4.8.10 If two applicants share the same band and housing priority, they will be ordered by the length of time they have been registered at that band with HomeHunt, with the earliest registration given greater priority.

4.8.11 The Lettings Team will check the shortlist for existing Coastline customers living in a property that is on the viability model, or an adapted property that could be made available to be re-let. These applicants will be given additional priority, to promote their bid to the top of the shortlist. This process will be carried out manually.

4.8.12 The Income Theme Lead may at their discretion authorise the Lettings Team to adjust the banding, housing priority or time registered within band with HomeHunt, where they can

demonstrate urgent or exceptional circumstances that are not otherwise covered by this policy.

4.8.13 In exceptional circumstances, a management transfer may be deemed appropriate to provide a housing solution for a customer, outside this policy, or to provide a housing management solution for Coastline.

4.8.14 In these cases, the explicit reason for the management transfer request will be provided by the Lettings Manager, and must be signed off by the Income Theme Lead and the Head of Housing Services.

4.9 Refusals

4.9.1 As a social landlord, we have a responsibility to make assessments and sensible decisions around suitability of an applicant. It is important that tenancies are offered to applicants who can demonstrate the ability to sustain them but balanced with an understanding of our social purpose.

4.9.2 As such we may refuse to offer a tenancy where:

- No pre-void inspection has been carried out either due to being unable to gain access or customer refusing a pre-void inspection of one of Coastline's properties;
- The pre-void inspection identified disrepair, poor decoration, uncleanliness or an unkempt garden which would result in significant cost to Coastline to bring the property back to a lettable standard;
- There is good evidence that anti-social behaviour has been present at their current tenancy, even where formal action has not commenced or there is an ongoing anti-social behaviour case outstanding at their current address;
- The applicant has been an alleged or proven perpetrator of anti-social behaviour during a previous tenancy with Coastline and where there is no evidence to support and improvement in their behaviour;
- There is any outstanding debt with Coastline relating to current or previous arrears or recharges. Where extenuating circumstances apply including Domestic Violence, under-occupation, over-crowding, persons at risk, or persons occupying a property identified as a disposal, the Income Theme Lead may authorise these debts to be paid through an ongoing agreement;
- An applicant has made false declarations and/or non-disclosures during the verification process;
- Rent arrears are owed to a previous landlord in excess of one month's rent. Rent arrears less than one month's rent will be considered where evidence of ongoing repayment can be evidenced;
- Rent in advance has not been paid;
- There is a local lettings plan in place and it is deemed inappropriate to rehouse an applicant in an area where there have been issues highlighted on the pre tenancy application which would exacerbate an existing neighbourhood problem or exacerbate the issues identified;
- The applicant is unable to demonstrate that they can afford the rent;
- The applicant returns a 'High Risk' or 'Very High Risk' score on the credit check and they are unable to demonstrate that they are effectively managing their debts

- Failure to meet or evidence the local connection criteria where a property has a s106 attached to it;
- Failure to provide evidence and documents relating to the pre tenancy assessment in an agreed timescale, usually 48 hours;
- Inappropriate conduct towards staff;
- Any other situation which presents significant doubt around suitability and sustainability.

4.9.3 Coastline will also refuse to let the property to the applicant under the following circumstances:

- If they have support needs which are not adequately met in order to enable them to sustain the tenancy;
- Where support needs are identified but written confirmation of continued support is not provided;
- If they present an unmanageable risk to themselves, Coastline staff or to the local community;
- If the applicant's income or capital assets exceed the limits set out for social rents only, in Appendix C; or
- If the applicants previous landlord returns a negative reference indicating incidences of tenancy breach.

4.9.4 Applicants who have not been successful will be referred to external agencies wherever appropriate. Applicants who are accepted but are deemed to be high risk will also be referred where appropriate to increase their ability to sustain their tenancy.

4.9.5 Tenancies will not be offered to minors, including 16 and 17 years olds in any circumstances, even where a guarantor is available.

5.0 Service Standards

5.1 Equality and Diversity

5.1.1 We will make sure that everyone is treated fairly and without discrimination in accordance with Coastline's Equality and Diversity strategy and policy whilst ensuring the appropriateness of the allocation.

5.1.2 The themes within this policy provide the opportunity not only to deliver equality of access to a Coastline home but also to identify where there are gaps in our approach which may be addressed

5.2 Employees and relatives

5.2.1 We will review applications for housing by Coastline employees, their relatives, Non-Executive Directors or their relatives in accordance with the Group Probity Standard.

5.3 Confidentiality

5.3.1 Under the Data Protection Act 2018, General Data Protection Regulation (GDPR) and the Human Rights Act 1998, all personal and sensitive organisational information is treated as confidential.

5.3.2 Coastline will treat all information provided by applicants in total confidence, in accordance with Data Protection legislation. This means that;

- Applications for housing are confidential, and only staff processing them will have access to information;
- Where individual applications fall outside the existing policy, for example Witness Protection Scheme, staff will treat information in confidence;
- All applicants have the right to access their personal information held in their applicant file. This is in addition to the rights provided under the Data Protection Act 2018 and General Data Protection Regulations; and
- All applicants have the right to see and obtain copies any information supplied by them about themselves and their family. Request for such information must be made in writing, and will be responded to within 28 days, in accordance with the relevant policy.

5.4 Reporting (NROSH)

5.4.1 The majority of performance reporting is now generated automatically.

- Corvu is updated automatically on a monthly basis with the majority of Letting's KPI's;
- Housemark Performance is collected quarterly through the use of automated reports;
- Lettings data is reported to Cornwall Homechoice Quarterly;
- CORE forms are submitted monthly; and
- NROSH data is collected and reported annually making use of the automated reports.

5.4.2 Areas or processes where data is being produced manually are being reviewed to improve efficiencies and remove any element of human error.

5.5 Complaints and appeals

5.5.1 Customers have the right to make a complaint or appeal if they are dissatisfied with any decisions taken in respect of this policy, and this should be done within 28 days of the date of the decision

5.5.2 Complaints and appeals will initially be dealt with by the Lettings Manager, within ten working days of receipt. If the applicant remains dissatisfied, the matter will be processed through the Company's Official Complaints Procedure.

6.0 Cross reference / working in partnership / links to other Policies

6.1 This policy will be underpinned by a Lettings Procedure which will provide more operational detail on the themes within it.

6.2 The policy is also linked with:

- The Tenancy Policy;
- Tenancy Fraud Policy;
- Group Probity Standard;
- Equality and Diversity Policy and Strategy;
- Asset Investment and Viability Strategy;
- Rent policy.

Appendices

Appendix A - Financial Support for customers moving out of properties identified for Disposal

Financial support is available to customers whose properties have been identified as suitable for Disposal on the Ridge Viability Model to assist with the associated moving costs should they wish to move out of their property. This financial support is not available to customers who are moving from properties that are not on the Viability model but instead have been identified for disposal due to high void costs.

The support is based on the size of the property the customer is leaving and has been worked out based on average costs of removals, new carpet and other associated moving costs. Where a customer has arrears with Coastline, these will be cleared using this financial payment, with any remainder being paid to the customer.

Size of property	Amount of financial support
1 bed flat	£850
1 bed house	£1,350
2 bed flat	£1,250
2 bed house	£1,800
3 bed house	£2,250

Appendix B- Income Limits

The income limits below are relating to the Local Housing Allowance (LHA) and applied for social and affordable rents. LHA caps correct as at 2020. Income limits relate to income **net** of Income Tax and National Insurance Contributions.

Income which is disregarded for Housing Benefit purposes will also be disregarded in our calculations.

Number of Rooms	Local Housing Allowance	Weekly Net Income Limit for Social & Affordable Rent	Annual Net Income Limit for Social & Affordable Rent
1	£113.92	£512.64	£26,657
2	£143.84	£647.28	£33,659
3	£169.15	£761.18	£39,581
4	£212.88	£957.96	£49,814

Lettings Policy - Capital Limits

Capital includes any holdings that have a clear monetary value such as savings, investments, land and property. In calculating the total of assets of the applicant and spouse will be added together and any loan or mortgage will be deducted.

- Net capital limits for applicants of working age = **£40,000**.
- Net capital limits for applicants requiring sheltered accommodation = **£160,000**.