

# The Common Housing Register Partnership

# Allocations Scheme

With effect from 25 November 2020

## Partner landlords



# Contents

## Tower Hamlets Common Housing Register Allocations Scheme 5

1-8	Introduction	5
9	Equalities statement	6
10	Key links	6

## Part 1 – Allocations Scheme Summary 7

11-14	How priority for housing is decided	7
	The Three Bands	7

15	How do you decide which band my application will be in?	8
----	---	---

16	I am on the Housing Register. What happens next?	8
----	--	---

17-18	What is Choice Based Lettings?	8
-------	--------------------------------	---

19	Grouped bids	8
----	--------------	---

### There are four steps to Choice Based Lettings 9

20-21	How do you decide between bids?	9
-------	---------------------------------	---

22	Are all properties let in this way?	9
----	-------------------------------------	---

23	Local Lettings Plans	9
----	----------------------	---

### Choice Based Lettings 10

## Part II – Allocations Scheme in detail 11

### Making an application to the Housing Register 11

24-25	How do I join the Housing Register?	11
-------	-------------------------------------	----

26	Local connection requirement	11
----	------------------------------	----

	Exceptions are: -	11
--	-------------------	----

27-28	Maintaining continuous residence in the borough	11
-------	---	----

29-30	Borough residents with no established local connection but in housing need	12
-------	--	----

31-32	What happens if you decide I am not eligible to be on the Housing Register?	12
-------	---	----

33-36	Who is ineligible to join the Housing Register?	12
-------	---	----

37	Mental ill health	12
----	-------------------	----

38	People earning a high salary	12
----	------------------------------	----

39-41	Homeowners	13
-------	------------	----

42	What happens when I make an application to go on the Housing Register?	13
----	--	----

43-44	Obligation to be truthful	13
-------	---------------------------	----

45	When someone else at your address wants to join the list	13
----	--	----

46	Joint tenants who want to be re-housed separately	13
----	---	----

47-49	Proof required	14
-------	----------------	----

50-52	Who can be on my application?	14
-------	-------------------------------	----

53-56	What happens if I owe rent?	15
-------	-----------------------------	----

57	When your application is accepted	15
----	-----------------------------------	----

58-65	What happens to my application if I am homeless?	15
-------	--	----

## Choice Based Lettings: The four steps in detail 17

### Step One – Advertising homes 17

66-68	How will I know about homes to be let?	17
-------	--	----

69	Local Lettings Schemes	17
----	------------------------	----

70-72	How these schemes would work	17
-------	------------------------------	----

<b>73-75</b>	<b>Step Two – Bidding for advertised homes</b>	<b>18</b>
73-79	Auto bidding	18
80-81	What size home can I apply for?	18
82-86	Can I apply for a smaller home than I need?	19
87	Step Three – Short listing	19
<b>88-94</b>	<b>Step Four – Making offers of a home</b>	<b>20</b>
95-96	Direct Offer Policy	20
97-98	How will I know if I will be offered a home that I have applied for?	21
99	Is there any penalty if I refuse or not turn up to view it?	21
100	What happens if I refuse three offers?	21
101-105	Does one offer only rule apply to you?	21
106-109	Information about homes that have been let	21
	<b>Other re-housing opportunities</b>	<b>23</b>
110-115	Under occupation or downsizing	23
116-122	Mutual Exchange Scheme	23
123-125	Chain Lettings	24
126-129	Mobility Schemes	25
<b>130-131</b>	<b>Priority on health grounds</b>	<b>26</b>
132-133	How is it decided if I should have additional priority on health grounds?	26
134-135	Emergency Medical Award	26
136-138	Priority Medical Award	26
139-141	Other recommendations that can be made on health grounds	27
	Some specific housing need recommendations that can be made	27
142-144	(a) Use of a Garden	27
145-148	(b) Ground floor or category A or B wheelchair accessible on health/ disability grounds	28
149-150	(c) Care and support	28
	<b>Homes that may be offered first to certain groups of applicants</b>	<b>28</b>
151	Designated accommodation	28
152	Homes designated as wheelchair accessible category A or B	28
153	Homes with access to gardens or play areas, on the ground floor	28
154	Homes provided by Registered Providers (RPs) with a specialist remit	29
155	Flats on the ground floor	29
	<b>Discretionary Additional Priority</b>	<b>29</b>
156-160	I have an urgent or unusual reason for wanting to move	29
161-170	If I want to be considered for additional priority what should I do?	30
171-175	If you fear violence	30
176-179	The Housing Management Panel	31
180	What additional priority may be awarded to my application?	31
181-187	Additional priority social need award	31
188-194	Emergency priority award	32
195-200	When you need re-housing because of the condition of your home	33
201-202	What if I disagree with the Panel's decision?	33
203	How long before I am housed if I am awarded additional priority?	33
204-210	Priority Target Groups	33
211-212	Care Leavers	34
213-214	Supported Housing Move On - Mental Health	34
215-216	Foster Carers	34
217-219	Living in a decant block with a Council or CHR partner landlord tenant	35
220-221	Sons and daughters of tenants of CHR partner landlords	35

222-223	Host Team Referrals (Supported Housing Move-On)	35
224-228	Key Workers	35
229	Ex service personnel	36
230	Right to move	36
	<b>Decants</b>	<b>36</b>
231-232	What happens if a decision is made to refurbish, redevelop or demolish my home, and I have to move?	36
233-236	Will I be offered new homes being built?	36
237	What happens if I have an "option to return"?	37
238-239	Do I have to move to new homes built to replace my demolished home?	37
240-242	What happens if I do not apply for a new home before the clearance date?	37
243-245	If my home is being decanted how many homes can I apply for?	38
246-251	What size home can I apply for?	38
252-255	Will I get help with the cost of moving?	38
256-262	What happens to other people who won't be moving with me? Will they get help finding a home?	39
263-267	I own a home that is included in a decant scheme. Will I be re-housed?	39
	<b>Appendix 1 – How decisions are made to place you in a Band</b>	<b>40</b>
<b>268-271</b>	<b>Band 1 Group A</b>	<b>40</b>
268	Emergencies	40
269	Decants	40
270	Ground Floor Priority/Category A or B Wheelchair Home	40
271	Under occupiers or downsizing	40
<b>272-275</b>	<b>Band 1 Group B</b>	<b>40</b>
272	Priority Medical Award	40
273	Priority Social Award	40
274	Priority Target Groups	40
275	Priority Target Group – Single homeless in priority need due to vulnerability	40
	<b>Band 2 Group A</b>	<b>40</b>
276	Homeless applicants with children and in priority need	40
277	Overcrowded applicants	41
278	Band 2 Group B	41
	<b>Band 3</b>	<b>41</b>
279	Applicants who are not in housing need eg overcrowded	41
	<b>Appendix 2 – Preference Dates</b>	<b>42</b>
<b>280</b>	<b>Band 1 Preference Dates</b>	<b>42</b>
<b>280</b>	<b>Band 2 Preference Dates</b>	<b>43</b>
<b>280</b>	<b>Band 3 Preference Dates</b>	<b>43</b>
281-287	What if my circumstances change?	44
	Rule 1:	44
	Rule 2:	44
	Rule 3:	44
	<b>Appendix 3 – Right of review</b>	<b>45</b>
288-294	What if you make a decision about my application that I do not agree with?	45
	Further enquiries may be made at any stage of this process if appropriate.	45

# Tower Hamlets Common Housing Register Allocations Scheme

## Introduction

1. Many people in Tower Hamlets apply for a limited supply of social housing available each year. Tower Hamlets Council and its Registered Social Landlord partners have jointly created a Common Housing Register for anyone who applies for housing and is eligible and qualifying to go on to the Register. All available housing is offered to people on the Housing Register.
2. Although the Council and its partners work to provide as many homes as possible, there are many more people on the Housing Register than there are homes available. Many who apply will have little or no chance of being offered a home. Even those who apply and do have a chance may have to wait a long time.
3. People have many important reasons for wanting to move, such as being overcrowded, not having a secure place of their own, wanting to be nearer family or friends, to work or wanting to move to another area.
4. However, some people must be rehoused because their homes are being demolished as part of plans to regenerate the Borough and to improve the quality of life for all residents. Other people live in homes that are larger than they need and therefore by moving to smaller homes their larger home can be offered to a family on the Housing Register.
5. Some people also need to be rehoused because where they live is very unsuitable. This may be because it is too small, is bad for someone with serious health or disability problems or requires such major repairs that it is not possible for them to live there whilst the repairs are being done. Other people are threatened with homelessness and apply for help.
6. All these competing demands have to be considered and difficult decisions made about who should be offered the limited number of homes available each year. As required by law, the Council and its Common Housing Register partners have developed this Allocations Scheme in order to decide how to give priority for housing. This was after consultation with applicants on the Housing Register, Tower Hamlets residents and other stakeholder organisations and partners.
7. Not having a good home is hard to bear for many people. An important aim of the Allocations Scheme is to make it clear how decisions are made so that people who are not offered a home can understand how priority for housing is decided and have trust and confidence in how decisions are made. Some people have very little chance of being offered a home and it is important this is made clear so that they know where they stand and can consider any other options they may have.
8. How applicants are assessed, the priority they are given and how it is decided who will be offered a home is set out on the following pages. The document is in two parts.  
  
Part I – shows how priority is decided and how homes are allocated  
  
Part II – sets out the full Allocations Scheme in detail

## Equalities statement

9. We are committed to delivering quality services to all, responding positively to the needs and expectations of all users of the service. We are committed to eliminating discrimination on any grounds including race, gender, disability, age, sexuality, religion or belief. This commitment derives from our respect for every individual. This Allocations Scheme applies equally to everyone who applies to or is on the Housing Register.

## Key links

10. This Allocations Scheme has been developed by having regard to the "Allocation of Accommodation – Guidance for Local Authorities in England", published in June 2012, and the supplementary guidance "Providing social housing for local people – Statutory guidance on social housing allocations for local authorities in England", published in December 2013 by Department for Communities and Local Government. In developing this scheme, the Council has also had regard to the Homelessness Strategy, Tenancy Strategy and Overcrowding Reduction Strategy. These documents are available on the Council's website.

# Part 1 – Allocations Scheme Summary

## How priority for housing is decided

11. The Council and its Common Housing Register partners have agreed to have three bands in the Allocations Scheme. Everyone eligible to be on the Housing Register will be put in one of three bands depending upon the information given at the time of application or following any change of circumstances. The bands are described below. Band 1 and Band 2 are the housing needs bands, where applicants attract reasonable preference; Band 3 is the housing options band where applicants have been assessed as having no housing need e.g. are not overcrowded. The norm for applicants in Band 3 will be that the Service will not initiate contact. For example, the regular reviewing of Band 1 & 2 cases (to establish any change in circumstances) will be substituted with the expectation that Band 3 households will need to inform any such changes. Enquiries on housing prospects, whilst receiving bespoke information for Bands 1 & 2, will involve Band 3 households being directed towards on-line self-help opportunities as facilitated by the wider services available from Housing Options. With regards to overcrowding, the Council will go by the bedroom standards and this will be regardless of the households existing living/sleeping arrangements (see table in para. 78. for further details).

## The Three Bands

BANDS	CATEGORIES IN EACH BAND
<b>Band 1 High Priority Housing Need</b>	<p><b>Group A</b></p> <ul style="list-style-type: none"> <li>• Emergencies</li> <li>• Medical/Disability need for ground floor or wheelchair accessible property (category A &amp; B)</li> <li>• Priority decants</li> <li>• Under-occupiers</li> </ul> <p><b>Group B</b></p> <ul style="list-style-type: none"> <li>• Priority medical</li> <li>• Priority social</li> <li>• Decants</li> <li>• Priority Target Groups and armed forces personnel in urgent housing need</li> </ul>
<b>Band 2 Priority Housing Need</b>	<p><b>Group A</b></p> <ul style="list-style-type: none"> <li>• Overcrowded applicants</li> <li>• Homeless applicants</li> </ul> <p><b>Group B</b></p> <ul style="list-style-type: none"> <li>• Applicants in housing need without a local connection</li> </ul>
<b>Band 3 General Housing Options</b>	<ul style="list-style-type: none"> <li>• Households with no defined Housing Need</li> </ul>

12. How the bands are made up depends upon several factors. First of all, the law says that the Allocations Scheme must give 'reasonable preference' to people who are overcrowded, homeless or need to move on medical, welfare or hardship grounds. The law also says that people can be given 'additional preference', because of serious medical, emergency or social and welfare problems.
13. Applicants who must be given reasonable preference or who have been given additional preference are, depending on their circumstances, placed in the "Housing Needs" Bands 1 or 2 where they have a greater chance of being offered a home. Many councils are choosing not to register applications from people deemed not to be in housing need. Tower Hamlets recognises that those not in housing need might still want to be given the opportunity for a social housing tenancy, however small that opportunity might be. For that reason, non-housing need households, will be placed in Band 3, being primarily registered for housing advice and options. Those applicants will have little or no chance of ever being rehoused unless they need elderly persons or sheltered accommodation.
14. Therefore, the Council permits some homes to be made available to applicants in Band 3 in order to meet local Tower Hamlets needs. The law allows for this as long as the amount of property set aside for this purpose does not dominate the scheme.

### **How do you decide which band my application will be in?**

15. This will depend upon your circumstances at the time of your application or after notifying us of any change in your circumstances after you have been put on the Housing Register. For example, you may be placed in a lower priority band, but can be considered for a higher priority band after an investigation or assessment of any circumstances that may qualify you for additional priority. Similarly, your priority may drop if any change in personal circumstances dictates this. Appendix 1 sets out how these decisions are made.

### **I am on the Housing Register. What happens next?**

16. Applicants on the Housing Register can apply through the Choice Based Lettings system for homes that are provided by the Council and the Common Housing Register partner landlords.

### **What is Choice Based Lettings?**

17. This is a method of letting homes by advertising them so that applicants can "bid" for them. Some homes will be let through direct offers process but most of the homes provided by the Council and the Common Housing Register partners are let through this method. This way everyone can see the homes that are available each advert cycle and decide whether they want to apply for them.
18. Under Choice Based Lettings, applicants can bid for homes advertised each advert cycle. The highest priority eligible bidder for any one home is usually offered it first and then the next and so on until the home is accepted. Letting homes in this way means that applicants are considered for homes that they express an interest in. It therefore gives choice to applicants over property location and type.

### **Grouped bids**

19. In certain circumstances, properties that are advertised may be grouped into one single advertisement. This will include advertisements for new build properties and those properties made available following regeneration schemes, where properties will be grouped by property type and size. Where there are grouped advertisements, applicants who place one bid will be considered for all properties within the group.

# There are four steps to Choice Based Lettings

STEP	DESCRIPTION
Step One	Available homes are advertised
Step Two	Applicants can "bid" for up to three properties each advert cycle
Step Three	A short list is drawn up in priority order for each advertised home from those who have bid for it
Step Four	A home is usually offered to the highest priority bidder first. If refused it is offered to the next priority bidder and so on until it is accepted. Sometimes multiple applicants will be asked to view a home.

## How do you decide between bids?

- Applicants on the Housing Register are in one of the three bands. Each applicant will be given a preference date. How this is decided will depend upon the band and may change if an applicant moves from one band to another. See Appendix 2 for how 'preference dates' are decided.
- When more than one applicant in the same band bids for a home it will usually be offered to the applicant with the earliest preference date in the band.

## Are all properties let in this way?

- Not all properties are let in this way. The Council is keen to allocate some properties to its Priority Target Groups. The Priority Target Groups are identified as those groups to whom a proportion of lettings will be made each year and includes groups such as foster carers, supported housing move-on, people leaving care. In addition, some homes will be let directly (see paragraph 92 for more information); and a small number may be made available to applicants in

Band 3 as part of the Lettings Plan. This is to reflect the Council's strategic housing need and financial priorities. They are reviewed as part of the Lettings Plan periodically. The Council monitors the lets that are made to these groups and if Choice Based Lettings has not achieved the target lets; the Council will intervene via direct lets or restricted adverts. An annual target will be set for some of the less popular properties to be used for temporary accommodation in the borough in addition to regeneration scheme properties already in use for this purpose. In addition, in order to maintain the balance of supply and demand across the various groups in housing need and to manage its financial priorities the Council has delegated authority to the Corporate Director Development and Renewal to introduce an annual quota for lettings to the homeless should this be required.

## Local Lettings Plans

- From time to time the Council and its Common Housing Register partners may adopt local lettings plans for new build homes on regeneration schemes including infill sites on housing estates. The purpose of these local lettings plans is to encourage residents to develop lasting connections with the area; to help sustain a community; to reduce overcrowding and tackle other housing needs in the local area.

# Choice Based Lettings

APPLICATION TO HOUSING REGISTER	STEP ONE 	STEP TWO 	STEP THREE 	STEP FOUR
<p>Applications are assessed and placed in one of 3 bands</p>	<p>Homes are advertised</p>	<p>Applicants bid up to 3 homes in each bidding cycle</p>	<p>Short listing for each home from bidders:</p> <p><b>Band 1:</b> Emergencies first THEN:</p> <p><b>Group A:</b> earliest date THEN:</p> <p><b>Group B:</b> earliest date THEN:</p> <p><b>Band 2 Group A:</b> earliest date THEN:</p> <p><b>Band 2 Group B:</b> earliest date THEN:</p> <p><b>Band 3:</b> earliest date</p> 	<p>Homes offered to highest priority bidder first; then next highest, and so on; until the home is let</p>

# Part II –

## Allocations Scheme in detail

### Making an application to the Housing Register

#### How do I join the Housing Register?

24. Anyone who wants to join the Housing Register has to fill in an online application form. This is to make sure that we have the information needed to decide your priority for housing and to make sure everyone is assessed in the same way.
25. Normally, you can join the Housing Register so long as you:
  - Are not subject to immigration control and have recourse to public funds
  - Are over 18 years of age
  - Have lived in the Borough continuously for the last 3 years
  - Are not guilty of bad behaviour
  - Do not have a sole or joint income of more than £90,000 per annum
  - Are not a homeowner
  - You do not fall within any of the ineligible categories set out below in para 27.

#### Local connection requirement

26. The Council has decided that applicants should normally have a local connection defined as that they have lived in the borough continuously for the last 3 years at the point of registration. You cannot claim a local connection because you have employment or relatives in the borough.

#### Exceptions are: -

- As per the regulatory requirement for Armed Forces personnel
- Any application in relation to a local or national mobility scheme
- Sub-Regional or Regional nominations
- Other recognized reciprocal arrangements

- Where the relevant Service Head or Lettings Manager decides it is in the Council's interest to make an exception to the local connection requirement. For example to avoid a high cost of social care when care could be provided by an out of borough relative who in order to provide the care has applied to go on the housing register. Subject to social care confirmation such cases will be placed in Band 1 Group B on either medical or management grounds.
- An older person whose economic circumstances are unlikely to change and who is applying for sheltered housing.
- Households placed in and out of the borough in temporary accommodation or housed into private sector accommodation as part of the Council's homelessness prevention/relief duty
- Any applicant being referred from a borough Domestic Violence Refuge. Applicants can be referred to the Register after 3 months residence

#### Maintaining continuous residence in the borough

27. Applicants would normally be expected to remain resident in the borough to preserve their registration. However in exceptional circumstances it is acceptable for an applicant to move out of the borough for a short period and not lose their registration. For example where there has been domestic violence. Each case will be considered on the merits of the individual's circumstances.
28. An applicant who has worked with the Housing Options Service to prevent or relieve their homelessness and has moved out of the borough as a result into the private rented sector will be permitted to remain on the Housing Register for three years in the relevant band.

## **Borough residents with no established local connection but in housing need**

29. Where a housing applicant in housing need does not meet the 3 year continuous residence requirement their application can be accepted and will be placed in Band 2 Group B. An example would be a homeless applicant in priority need where the Council has accepted a duty to assist them, but they have not been resident in the borough for 3 years continuously. The exception to this is if a homeless duty has been accepted where an applicant is fleeing Domestic Abuse and has not lived in Tower Hamlets for three years. In this case they will be placed in Band 2 Group A.
30. When applicants in Band 2 Group B have lived continuously in the borough for 3 years their application will be moved to Band 2 Group A and given a new preference date. This will be the date they qualified for Band 2 Group A in line with the rules on movement between bands set out in Appendix 2.

## **What happens if you decide I am not eligible to be on the Housing Register?**

31. There are certain people who cannot join the Housing Register. These are explained in more detail below. Every application will be considered on its own merits and we will consider all circumstances before making a final decision on eligibility for the Housing Register.
32. If a Lettings Assessment officer decides that you are not eligible for the Housing Register, we will tell you why. You can ask us to review the decision. How this is done is set out in Appendix 3. Every application is treated individually, and we will take into account any exceptional or mitigating factors you ask to be considered.

## **Who is ineligible to join the Housing Register?**

33. In consultation with the Common Housing Register partnership, the Council has determined that a number of categories of applicants will be ineligible to join the Housing Register. These are set out below:

- Contrived or fraudulent applications
- Applicants with a history of bad behaviour
- Any applicant, partner or any member of their household convicted of or had legal action taken against them for violence, racial harassment, threatening behaviour, any physical or verbal abuse towards staff or residents in their location
- Any applicant evicted for rent arrears
- Legal action includes relevant convictions, service of injunctions, behaviour causing a landlord to serve notice of intention to seek possession, a court order, or revocation of a licence to occupy.

34. Applicants excluded under any of the above criteria will need to demonstrate a change of behaviour before being considered eligible to apply to go on the housing register.
35. It should be noted that any prior spent conviction (spent as described under Rehabilitation of Offenders Act 1974), shall be disregarded for the purposes of this section.
36. Normally applications will be reconsidered 3 years after the events in question during which time the applicants must demonstrate that there has been no repeat occurrence. Reviews earlier than 3 years from the events in question can be considered in exceptional circumstances.

## **Mental ill health**

37. An applicant who suffers from a mental illness and who has either been convicted or has had legal action taken against them as defined above shall not be ineligible if the conduct in question was directly attributable to their mental illness. In these circumstances the Council will usually require medical evidence to help determine the applicant's eligibility.

## **People earning a high salary**

38. Applicants will not be entitled to join the Housing Register where there is a sole or joint income of £90,000 per annum or more. This figure will be reviewed annually.

## Homeowners

39. Homeowners or anyone with a legal interest in a property including any property outside of the UK are not entitled to join the Housing Register. An exception might be made where homeowners are unable to utilise their assets to source their own housing solution. These applicants may be granted a management or medical priority, and would include such circumstances as:
- An elderly person needs sheltered accommodation – likely this will place the application in Band 3.
  - A disabled person's home is unsuitable, and it cannot be adapted – likely this will place the application in Band 1B (unless an 'Emergency').
  - There are other urgent medical reasons to move – likely this will also place the application in Band 1B (unless an 'Emergency').
40. Applicants will be required to provide appropriate documentation, e.g. ownership, valuation of the property, proof of income, report from social care team, hospital, GP, occupational therapist reports regarding the suitability and viability of adaptations in their current property and any risk to health or life in order for an assessment and decision to be made by the Council's Lettings team.
41. Any tenancy awarded under such circumstances may be of a fixed term.

## What happens when I make an application to go on the Housing Register?

42. When your application to go on the Housing Register is received your details will be registered on a computer. We have a duty to protect public funds and the information you give on your form will, upon appropriate request, be shared with other public agencies (such as the Department for Work and Pensions), Council departments (such as Housing Benefits and Council Tax) or any other appropriate agency, solely to detect and prevent fraud. We will share the information you give us with Registered Social Landlords and other housing authorities for the purposes of housing nominations.

## Obligation to be truthful

43. Section 171 of the Housing Act 1996 makes it an offence to withhold information that we reasonably require to assess your application, or to provide false information that leads to your gaining a tenancy. We will take appropriate action (including legal action) against anyone who gains a tenancy through knowingly providing false information. This may mean you lose your home. A person guilty of an offence under this section is liable on summary conviction to a fine. Legal proceedings may begin if:
- i. any false information is given, or information withheld, on an application form to appear on the Housing Register
  - ii. any false information is given, or information withheld, in response to subsequent review letters or other update mechanisms
  - iii. any false information is given, or information withheld, by applicants during a review.
44. We will check if you, or anyone in your household, are already registered on the Housing Register. You can only be on one active application at any one time.

## When someone else at your address wants to join the list

45. If you are a tenant of one of the partner landlords and someone living with you applies for separate housing, we will ask you to give an undertaking that, if you move, you will make sure no one is left in the property. Normally, until you give this written guarantee of vacant possession, you will not be able to bid for available homes and we will not actively consider your application.

## Joint tenants who want to be re-housed separately

46. If you are a joint tenant you will be required to apply together or end your existing joint tenancy otherwise you will not be able to sign a new tenancy if you are made an offer through the Housing Register. You should seek legal advice before ending your joint tenancy.

Where the above situation arises because of relationship breakdown, you must show formal evidence of separation, and end the existing tenancy before you can sign a new tenancy. Any cases accepted onto the Housing Register and subsequently made any offers will be subject to this condition.

## Proof required

47. We may ask housing applicants to provide independent documentary proof of the following:
- identity;
  - relationship to and between all those named on the application
  - immigration status
  - the property you currently live in – where, the occupation status and how long
  - previous property details and reasons for moving
  - if you have a local connection with the Local Authority area
  - salary levels, proof of income e.g. pay slips, P60
  - formal evidence proving separation and relationship breakdown
  - main bank account into which benefits or salary is paid
  - School letters
  - utility bills
  - proof of benefits including proof of receipt of child benefits
  - Residence order
48. For every person on the application we must normally see at least two of the following forms of proof of identity - one of which must be a photo ID, and proof of where they currently live and previously lived:
- a. full birth certificate;
  - b. medical card;
  - c. marriage certificate;
  - d. driving licence;
  - e. National Insurance card;
  - f. passport.
  - g. Freedom Pass

49. We will then assess what priority your application has and tell you:
- a. which Band your application is in;
  - b. your preference date;
  - c. the size of property you can bid for.

## Who can be on my application?

50. Only those in your immediate family, or others if previously agreed, will be registered as part of your household for the purposes of the Housing Register. Immediate family means the main applicant, their spouse or partner, their children (except as below) and anyone with whom they have to live because of extenuating circumstances. This includes children who live with you under a Special Guardianship Order. If you are the main applicant, immediate family does not include you or your partner's parents; grandparents; aunts or uncles; grandchildren; nieces or nephews; cousins; children over 18 living with a partner (whether married or not); children over 18 who have their own children; friends; lodgers; brothers or sisters.
51. If you have to live with someone that we do not usually define as immediate family because you have to provide or receive care or support you can ask us to review the decision not to include these people on your application. If there is a health need for you to live together the Council may seek advice from a health professional before deciding whether or not they should be included.
52. If there is a justifiable and genuine social need for you to live together the Housing Management Panel will make the decision. If you share custody of children with someone else, we will decide who is the main provider of care by looking at who is paid child benefit or tax credits and whom the children stay with for the most nights each week. If you are not the main care provider your children will not normally be considered as part of your household for the purposes of the Housing Register.

## What happens if I owe rent?

53. It is very important that you pay your rent. If you do not then you risk losing your home. If you are having difficulties, then you should speak with your landlord who will be able to provide you with advice and support. If you owe no more than four weeks of your weekly charge (that is the net amount you have to pay after any benefit has been deducted), then your housing application will not be affected. You will be asked to sign an undertaking that you will pay any arrears before you move.
54. If you owe no more than 10 weeks of your weekly charge and you have been keeping to an agreement to pay off the arrears for at least 8 weeks then your housing application will not be affected. You will be asked to sign an undertaking that you will continue to pay the arrears if you move. If you owe more than 10 weeks of your weekly charge then you will normally not be considered for any homes you may apply for.
55. Each case will be considered on its individual merits by Common Housing Register partner landlords, the Council's homeless or lettings service. Discretion can be used by a manager to override arrears if it is considered that unreasonable hardship would otherwise occur.
56. If the Housing Management Panel makes this decision then you will be asked to make an agreement to pay your arrears and sign an undertaking that you will continue to keep to the agreement if you move.

## When your application is accepted

57. You can then look at the properties advertised in each advertising cycle and apply for those you are interested in and that are suitable for your household size and any medical needs. Each applicant is permitted to place 3 bids in each advert cycle.

## What happens to my application if I am homeless?

58. If you approach the council with 56 days of when you are due to become homeless, we have a duty to assist you under the Homelessness Reduction Act (HRA) (2017), which came into effect in April 2018. This requires us to give you housing priority. If you are already in Band 2 Group 1 or 2 your priority will remain unchanged until a full homelessness duty is accepted which will result in your preference date being changed to your homeless application date. If you are in Band 3, your application will be placed in Band 2 Group A or B and your preference date will be the date of your homelessness application.
59. If you do not have an existing housing application you will be required to make an application for priority to be awarded
60. We will work with you as part of your Personalised Housing Plan (PHP) to resolve your homelessness and all available housing options will be considered including private rented accommodation. We will expect you to accept any offer of suitable and affordable accommodation made to you. Failure to do so will result in homelessness duty being ceased.
61. If we are unable to prevent or relieve your homelessness and a full homeless duty is owed to you your application will be placed in Band 2 on the Housing Register or Band 1 Group B if you are accepted as single homeless and in priority need because of your vulnerability. Three years continuous residential criterion will be waived if after investigation the council accepts you are a victim of domestic abuse and are owed a full homelessness duty. Your preference date will be the date you made a homeless application. Any earlier preference date will be lost if you are already registered on the Housing Register.
62. Your position in the queue will change and you will not keep the time you have previously spent in the band.

63. If it is accepted that homeless duty is owed to you and we assess that you must have ground floor or wheelchair accessible category A home based on the recommendation made by the health advisor, you will be placed in Band 1 Group A
64. You will then be able to bid for available homes that are advertised. If you have not moved in to a permanent home or private sector accommodation within the average waiting time for the size and type of accommodation that you require then your application will be placed on Autobid for all suitable and reasonable vacant homes that become available. Refer to paragraph 77 for more information on Autobid. Where appropriate and justified due to high priority of the applicants direct offers may be agreed by the Lettings Manager. (see paragraphs 27-28)
65. You will be made one offer of a suitable and reasonable home to ensure that the Council properly ceases any housing duty to you. Where necessary direct offers will be made. We cannot tell you how long this may take after the average waiting time limit is up. You will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in. You will be asked to explain why you cannot live in a particular area or in a specific type of home. You will not be asked to live in an area where you are not safe. If you are made an offer of suitable accommodation and refuse unreasonably, the Council will, in all likelihood, cease its statutory duty to you and you will be asked to leave any temporary accommodation provided by the Council. If you then secure your own accommodation and wish to be considered on the Housing Register, you must make a fresh application. You will be assessed on your new circumstances and be given a new preference date.

# Choice Based Lettings: The four steps in detail

## Step One – Advertising homes

### How will I know about homes to be let?

66. Homes that become available to let will be advertised periodically. Currently, information is available on the Homeseekers and Council's websites. Advertising mechanisms might change, but you will be kept informed of any such changes.
67. Where possible, the advertisement will have a photograph of the property or the block it is in and will endeavor to include information about:
  - who the landlord is;
  - the rent;
  - the sort of property it is: floor level, type and how many bedrooms;
  - the area it is in;
  - the size of household that can apply;
  - if there are special facilities for households with particular medical or other needs who will be given preference for it;
  - whether there are any special features or where certain conditions apply such as limited to applicants who qualify under a local lettings plan or priority target group.
68. To minimise rent loss landlords advertise some homes as 'potential' voids. This means that the property is available in the future but it may be withdrawn by the landlord because the property does not actually become available for letting.

## Local Lettings Schemes

69. From time to time the Council and its Common Housing Register partners may adopt local lettings schemes. These schemes are designed to encourage residents to develop lasting connections with the area; to help sustain a community; to reduce overcrowding and tackle other housing needs in the local area.

### How these schemes would work

70. Homes available for letting at broadly the same time will be identified as suitable for local lettings. Usually these will be new build homes. The qualifying criteria will be defined for each local lettings scheme including consideration only being given to applicants who meet the criteria set down for each scheme. The criteria may vary between schemes but will be made clear at the start.
71. The Common Housing Register Forum must agree a local lettings scheme. Homes will be advertised through the Choice Based Lettings scheme as only suitable for applicants who qualify for the scheme. Where possible bidding will be restricted to applicants who meet the criteria for the scheme. Applicants will then be short listed in the normal way and homes offered in priority order.
72. If it is not possible to let all the available properties earmarked for a local lettings scheme, the remaining properties will be let in the normal way and the policy criteria to qualify will not be applied. Properties suitable for applicants with high priority needs, for example with special needs adaptations, may be excluded from the scheme.

## Step Two – Bidding for advertised homes

73. • You can place up to 3 bids per cycle (refer to paragraph 19 on grouped adverts) on homes that are suitable for your size of household as set out in the table below.
- You should not bid for homes that you are unlikely to accept if they are offered to you.

Currently, bids can be made as follows:

- Online on the Homeseekers website
  - By telephone/mobile
  - Exceptionally, by the Autobid process
74. Placing bids early in the advert cycle does not give you any advantage over other applicants who have more priority than you but place their bids later on in the advert cycle.
75. The Council will be introducing other mechanisms as technologies evolve.

### Auto bidding

76. If the Council is satisfied that you are unable to register your own bid you can register your choices with us then we can bid on your behalf. These auto bids will act as if you have told us about an interest in an advertised home and you should be very sure about the choices you make before telling us about them so that the auto bidding system can bid for the type of home you are willing to accept.
77. If you are a homeless household and have exceeded the average waiting time for any household who is bidding regularly and sensibly for the type of property they can reasonably expect to be offered, the council will review your bidding history. If you are found to be either not bidding or only bidding for homes that you have no prospect of being offered, you will be given guidance on the ways you can improve your prospect of an offer.
78. If after a 6 month period your bidding practices have not changed, you will be placed on Autobid for any property that in

the Council views would be reasonable for you to accept having regard to the property type, location and any other social, medical or relevant factors. If necessary, a direct offer may be made.

79. This is to ensure you are rehoused as soon as possible. If you refuse an offer of reasonable and suitable accommodation made under the Autobid option, your priority will be withdrawn if under the policy you are entitled to one offer only.

### What size home can I apply for?

80. You can only apply for a size of home suitable for the number of people in your household. How this works is set out in the bedroom standard agreed by Tower Hamlets Common Housing Register partners in the table below.
81. Your application will be assessed according to the bedroom standard to determine if overcrowding priority applies regardless of the sleeping arrangements you might have in place for your household at your home.

HOUSEHOLD	BEDROOMS	BED SPACES
Household 1 or 2 adults	Studio or 1 bedroom	1 or 2 bed space
Household with one child	2 bedrooms	3 or 4 bed spaces
Household with two children – same sex	2 bedrooms	4 bed spaces
Household with 2 children – opposite sex	3 bedrooms	4 or 5 bed spaces
Household with 3 children	3 bedrooms	5 or 6 bed spaces
Household with 4 children same sex or two of each sex	3 or 4 bedroom	5 or 6 bed spaces
Household with 4 children – 3 same sex 1 opposite sex	4 bedroom	6 or 7 bed spaces
Household with 5 children	4 bedroom	7 or 8 bed spaces
Household with 6 children – same or opposite sex	4 or 5 bedroom	8 or 9 bed spaces
Household with 6,7 or more children	5 bedrooms or more	9 or 10 or more bed spaces

### Can I apply for a smaller home than I need?

82. To ensure applicants do not face undue financial hardship when they move to their new homes, they will be permitted to bid for properties that have one bedroom and one bed space less than their assessed housing need. This will enable choice to many applicants who will be affected by Welfare Reforms and other financial imperatives allowing the selection of a home that is smaller than ideal requirements as assessed under the Allocations Scheme. If and when a family successfully moves into a new home which is smaller than their assessed bedroom need, any subsequent transfer application will start with a new date for that application.
83. A single parent will be classed as needing up to two bed spaces.
84. Two siblings of the opposite sex will only be able to share a bedroom if both siblings are under 10 years old.
85. Two same sex siblings when part of the same

household can share a bedroom regardless of age. If a sibling sharing in this way makes an individual application to live independently and not as part of the household, they will be classed as overcrowded for the purposes of the individual's rehousing application.

86. A health advisor may recommend a size of property for you that is different to that set out above.

### Step Three – Short listing

87. A short list will be drawn up from those who have bid for a home. Applicants who have bid for a home are selected by comparing the size of the home with the number of people on their application.

BAND	GROUP	DESCRIPTION
Band 1	Group A	Emergencies first THEN: Earliest preference date THEN:
	Group B	Earliest preference date THEN:
Band 2	Group A	Earliest preference date THEN:
	Group B	Earliest preference date THEN:
Band 3		Earliest preference date THEN:

## Step Four – Making offers of a home

88. Homes will be usually offered to highest priority applicant on the short list first by the allocations officer. However, preference for ground floor homes will usually be given in priority order to existing management, decant or under occupying tenant applicants recommended ground floor only accommodation on medical grounds. Preference for flats on the ground floor will be given to applicants who have a medical recommendation for homes on the ground floor only AND have been assessed as being unable to manage internal stairs.
89. If more than one applicant in the band applies for a home, it will usually be offered to the one who has waited the longest in the band, which is the applicant with the earliest preference date (see Appendix 2).
90. Where necessary, a number of applicants

may be invited to view a property so that if the applicant with the highest priority does not accept the property it can be offered to another applicant without delay.

91. If a home has been advertised for a particular group in order to meet annual targets it will be offered to the applicant in that group with the earliest preference date.
92. If an offer is refused it will be offered to the next applicant on the short list and so on until the home is accepted.
93. Landlords can reject an applicant, if after a financial assessment it is established that the applicant will not be able to afford the tenancy.
94. You should not bid for homes that you would not be willing to accept if they were offered to you. To help you make an informed choice about the properties that you bid for, the Homeseekers website will provide you with your position in the queue for that property at the time that you place the bid. This will be a snapshot because applicants who bid after you may change your final position. However, it will give an indication of whether or not you have a reasonable chance of being short listed for that property.

### Direct Offer Policy

95. The Council and its Common Housing Register partners will as far as possible let the majority of property through the Choice Based Lettings scheme. However, the Council and its partners can offer a home directly to some applicants without advertising the home through the scheme if circumstances justify it. Reasons for this can be: to meet the need of a high priority applicant; or to meet a legal obligation; to facilitate an under occupation move, or for effective management of the Council's or partners housing stock; in relation to public protection cases; as part of overcrowding reduction initiatives; or for split households.
96. Direct Offers can also be made on Sheltered Housing vacancies where the property has been advertised once and has not been let.

## **How will I know if I will be offered a home that I have applied for?**

97. We receive a lot of bids for advertised homes. We will only ever contact the applicant who has been successful with the details of when they can view the property. Information on the position that you came for a property will be provided to you at the point of bidding so that you can make an informed choice.
98. When you view the property you will be told what repairs are to be done to it, whether any allowances are payable to help you move or decorate, and when you would be expected to move in.

## **Is there any penalty if I refuse or not turn up to view it?**

99. If you do not attend a viewing, this will be taken as you having refused the property unless there are very good reasons why you could not turn up AND you could not tell us beforehand. You must tell us if you are not able or not prepared to attend a viewing, giving at least 24 hours' notice.

## **What happens if I refuse three offers?**

100. You should only bid for properties that you wish to accept the tenancy on if offered. If you refuse a home that is offered to you we will review your application. A 12-month demotion to the bottom of the Band your application is currently in will be enforced upon refusal of a third offer from the date this policy came into effect 18 October 2013. In addition, this penalty will be repeated every time you refuse a subsequent offer. The original priority date will be restored on expiry of that 12 month period.

## **Does one offer only rule apply to you?**

101. One offer only rule applies to cases awarded emergency, homeless, priority social (management), priority target group priority. The details of this are covered below.
102. If you are offered a home as an emergency category on medical grounds and refuse the offer your priority will be withdrawn and you will be placed in Band 1 Group B as a priority medical category.

103. If your application has been awarded emergency management or is in priority social category, or a priority target group in Band 1 Group B and you refuse an offer unreasonably then your priority will be withdrawn. If you are in Band 1 Group B as a priority medical case and you refuse an offer, your case may be reviewed and consideration given to withdrawing your priority.
104. If you are an applicant where the Council has accepted a homelessness duty then different rules apply. As an applicant that has been accepted as homeless, you will receive just one offer of accommodation, which may include an offer in the private sector. It is very important that you speak to someone in the Housing Options (Homeless) Team before you refuse an offer made to you as duty owed to you will cease.
105. You can ask us to review the decisions to withdraw any priority award. We will consider every review on its merits. However, if requesting a review justifiable and genuine reasons will have to be shown as to why the property was not suitable for you or why it was not reasonable for you to accept the offer. We will consider whether you have chosen the property (either in response to an advert or if the property meets the choices you have told us about in the past) when making a decision about the reasonableness of any offer you refuse. (See Appendix 3 on right to a review.)

## **Information about homes that have been let**

106. We know it is difficult to wait for a suitable home to become available and that many applicants on the Housing Register can be under a lot of pressure. It is only natural that people will speculate about the reasons when they see someone else get a home where they may not seem to be in as urgent need as they are
107. Please remember that someone may be rehoused before you because:
  - a. their application was in a higher band than yours
  - b. they had been waiting longer than you in a band

- c. they bid for a property you did not bid for
  - d. they were eligible for a home that you were not eligible for
  - e. they were overcrowded and you are not
  - f. their household has been given priority on health grounds
  - g. they had to move because of an emergency
  - h. they have had to move because their home is being demolished, refurbished or repaired
  - i. homes meets their specialist requirement e.g. are wheelchair accessible
108. We will publish information about homes that have been let and as far as possible give information about the length of time you may have to wait. This will be provided to help applicants make informed choices when bidding.
109. We will not publish information about specific applicants and properties as that information is confidential, but the information given will show the type of home it was and the length of time a household had been waiting

# Other re-housing opportunities

110. If you are already a tenant of a landlord who is a member of the Common Housing Register partnership, there are other re-housing opportunities you may wish to consider.
111. These schemes will vary over time, but opportunities that may be available are:
  - Move to a smaller property with a range of incentives and/or a cash incentive depending on your landlord
  - Mutually exchange your tenancy with another tenant
  - Participate in a chain lettings moves
  - Shared ownership where you could part buy part rent a home
  - Move to the private rented sector.
  - Move out of the Borough if your landlord has housing elsewhere.
  - Move to other parts of London through the London Mayor's Housing Moves scheme

## Under occupation or downsizing

112. We award a high priority to those tenants who want to move to smaller accommodation and who are prepared to give up at least one bedroom. You could move in or outside of the Borough although there will be limited scope for a move outside of Tower Hamlets.
113. If you are a transferring under occupier, you can apply for a home one bed larger than you need and you will be given priority to move as long as you give up at least 1 bedroom. If you are on benefits and under occupy your home you may lose benefit so please check with the Benefits Team before making this decision.
114. If you live in a home with 3 bedrooms and you are assessed as needing 1 bedroom you will get priority if you apply for a home with 1 or 2 bedrooms.
115. The greater the number of bedrooms you give up, the higher your priority to move. If you are a Council tenant and you give up at least 1

bedroom, the Council will be able to help you with a range of incentives depending on your needs e.g. help with removals, handy person service, help towards advance rent payment, payment for white goods etc. Incentives are reviewed regularly so please check with the Council what incentives are currently available. If you are not a Council tenant you should check with your own landlord what incentives, if any, are available for you.

## Mutual Exchange Scheme

116. If you apply to the Housing Register for a move, when you move, it does not have to be to a vacant home. It could be a home that is currently being lived in by someone else who also wants to move.
117. A mutual exchange is when two or more tenants swap homes once they have the permission of all landlords involved. Given the shortage of available homes in this area for many tenants this is their best and quickest prospect for moving.
118. All Council and RP tenants who ask to move may be registered for the mutual exchange scheme. Your landlord will work with you to try to find a partner to swap homes with you. If you are put in touch with a partner, neither of you are under an obligation to agree, nor will it affect your housing application if you refuse to swap. You can register for home swap at [www.homeswapper.co.uk](http://www.homeswapper.co.uk) or [www.houseexchange.org.uk](http://www.houseexchange.org.uk)
119. If you are an under occupying Council tenant who swaps homes with another Council tenant in the Borough whose home is too

small for their family, we will offer you a range of incentives, which may be subject to change on a yearly basis.

120. Legally, your landlord can only say no to your request to exchange for a limited number of reasons:

- that either tenant is moving to a home that is inadequate for their needs, e.g. on health grounds, or that it would be too small;
- that either tenant is moving to a home that is substantially too large for their requirements;
- your landlord will usually agree to your moving to a home that has 1 bedroom more than you need, but no bigger;
- that there is a current order for possession made by the Court in respect of any of the tenancies involved;
- that any of the properties are adapted, sheltered, warden- controlled or other special needs unit and the tenant moving in to the property is not eligible for or does not need it;
- that the accommodation is tied;
- that the landlord is a charity and the proposed occupation would conflict with their aims;

- that any of the tenants has been issued with a Notice of Seeking Possession.

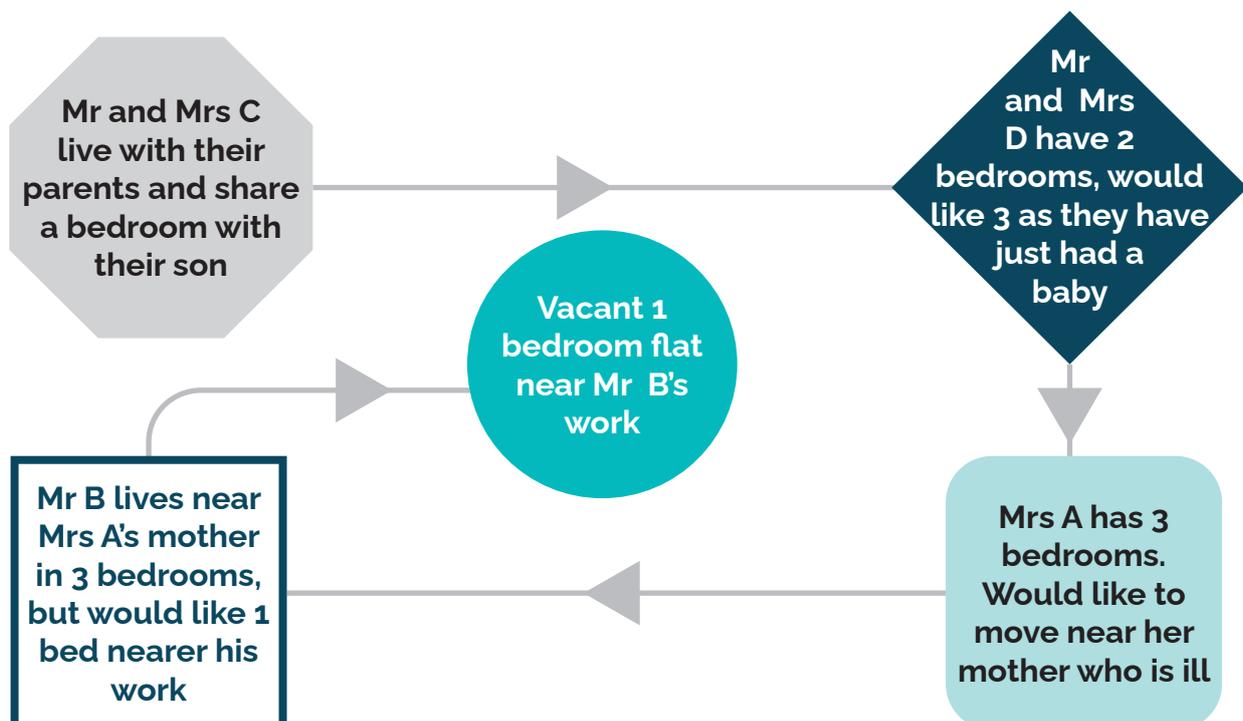
121. Your landlord may say that you cannot swap tenancies straightaway if, for example, you owe rent, or there are repairs needed to the property that you have to carry out. However, once these matters have been sorted out, they should say yes.

122. Your landlord should consider your request in accordance with the allocations scheme and is obliged to tell you in writing the reasons why they are saying no to your request. Whatever the decision, you should be told within 42 days of requesting to exchange. You have a right to refer the decision to the County Court under Section 86 of the 1980 Act if you disagree with it.

### Chain Lettings

123. Chain Lettings is a way for us to use a vacant property as part of a chain, in the same way as estate agents do in the private owner-occupying sector.

124. This is an example of how a chain could work with one vacant home used to help four families to move:



125. In order for chain lettings to work, it is necessary for us to identify useful vacant properties and withdraw them from being advertised. Discretion has been given to senior officers to decide when properties can be removed from the overall lettings scheme to make chains work so helping more people to move.

## Mobility Schemes

126. Government regulation now requires the Council to give reasonable preference to 'social tenants' who want to move for employment reasons where the council is satisfied that undue hardship would be caused; and employment is for more than one year and over 16 hours per week. Applicants, including apprentices who qualify will be placed in a Priority Target Group in Band 1 Group B.

127. In addition, the Council currently participates in three separate mobility schemes. The first of these is designed to facilitate those social tenants who need to move to other parts of London for employment, educational, social reasons or if they under occupy their current accommodation. This is the Pan-London Mobility Scheme operating currently under the name "Housingmoves". Tenants of participating local authorities or housing associations who meet the criteria are able to bid for 1, 2 and 3 bedroom homes that are advertised through the Housingmoves website. This is a reciprocal mechanism, with nominations out being matched by nominations in.

128. The second is the Seaside and Country Homes Scheme that offers tenants who are 60 years or older the potential to access to properties along the southwest coast from Cornwall through to the countryside from Shropshire to Cambridgeshire, over to Norfolk and Lincolnshire in the east. This scheme does not guarantee a move although it is recognised that the highest priority is available to those giving up large sized accommodation.

To find out more information about these schemes please visit [www.housingmoves.org](http://www.housingmoves.org)

129. The third is the Homefinder UK, which is a national housing mobility scheme that allows tenants and homeless households of participating social landlords to move home. Participating landlords advertise their available homes on Homefinder website: [homefinderuk.org](http://homefinderuk.org)

Tenants of participating social landlords can express an interest in properties by bidding as they would on traditional Choice Based Lettings systems.

# Priority on health grounds

130. There are times when people need to move because of their health or a disability. Priority on health or disability grounds will only be awarded after an assessment if someone in the household has:

- a severe long-term limiting illness, or a permanent and substantial disability **AND**
- their health or quality of life is severely affected by the home they live in

131. Please Note: A priority medical award is not given on the basis of the medical condition or disability alone but upon the effect the housing circumstances are having on a long term and serious medical condition or disability.

## How is it decided if I should have additional priority on health grounds?

132. An officer in the Lettings Team will make decisions on medical applications and may ask qualified health advisers to recommend who should be given additional preference for housing on health or disability grounds. The health advisor does not make a recommendation based upon how ill you are. They will look at how your health or disability problem affects you on a day-to-day basis and how your housing affects your health or quality of life. They will assess each person with a health or disability problem and also consider the impact on your whole household. In addition, other non- medical factors affecting you or members of your family can be taken into account where appropriate.

133. In reaching a decision on whether or not to make a priority award on medical grounds, an officer from Lettings, where appropriate, will have regard to comments and information from your own doctor as well as other medical professional opinions.

## Emergency Medical Award

134. This is the highest priority award and will normally be considered where the criteria for a priority medical award is met and one or more of the following conditions also applies:

- someone is in hospital/residential care and cannot return home because it is not suitable
- there is a risk to life
- there are very exceptional circumstances

135. When awarded emergency medical status, the application will be placed in Band 1 Group A. The preference date will be the date the award was made. Applicants awarded emergency priority are considered first within Band 1 Group A in preference order when bidding for the available homes.

## Priority Medical Award

136. This recommendation will normally be considered if you, someone on your application or for whom you provide care, has a severe long term limiting illness or permanent and substantial disability. Health or quality of life must be severely affected by the place you live in now.

137. We will also consider if where you live now can be reasonably adapted to meet your needs. It may also be that there are combinations of serious health or disability concerns that mean that the health or quality of life of a household is being severely affected.

Examples include:

- the current home does not reasonably allow essential health treatment there e.g. renal dialysis;
- the ability to live independently in the community is at risk without suitable accommodation;
- someone is housebound, effectively housebound or cannot reasonably access the essential facilities in their home;

- if there are critical concerns about someone's safety e.g. through falls due to difficulties with access.

138. Applicants who are awarded priority medical status will be placed in Band 1 Group B (unless they are already in Group A as an under occupier or decant).

Your preference date will be the date you applied for the assessment.

### **Other recommendations that can be made on health grounds**

139. The health advisor can also make recommendations about the type of property that is most suitable and essential on health grounds. This can include access, space, location, access to a garden or ability to manage internal stairs.

140. When a property that matches these recommendations is advertised, preference for it may be given to applicants where a recommendation by health advisors has been accepted.

141. If a specific recommendation has been made by the health advisor that a specific type of home or facilities are essential you will only be considered for homes that meet this recommendation.

### **Some specific housing need recommendations that can be made**

#### **(a) Use of a Garden**

142. The health advisor will normally make this recommendation if there is a capacity to benefit from a safe supervised outdoor play area by a child under 18 in your household with either:

- a permanent and substantial physical disability;
- severe long term limiting illness;
- the severest forms of learning disabilities; or
- severest behaviour problems.

143. A garden may be recommended for an adult in the following circumstances:

- i. if they have a severe cognitive impairment that means they do not sense danger, are at risk of wandering and so need constant supervision;
  - ii. if they have a severe, permanent and substantial disability or severe long-term illness.
  - iii. limiting illness and caring for children is causing concern such that their continued residence is at risk, or the stress of caring for them is exacerbating the health problems; or
  - iv. if they have a sensory impairment and/or a guide dog and they live alone or only with others with disabilities.
144. The health advisor will normally only recommend that you need extra space if:
- i. you, or someone in your household, has either a permanent and substantial disability, or a severe long term limiting illness, or the severest form of learning disabilities;
  - ii. or the severest forms of behaviour problems and it is unreasonable for you to share a bedroom as it would seriously affect the sleep of those you would normally share with, to the severe detriment of their or your health;
  - iii. you are having health treatment at home that needs large machinery or a stock of health supplies to be stored e.g. you are having renal dialysis at home;
  - iv. you need a full time carer to provide support night and day;
  - v. you have a permanent and substantial disability or long term limiting illness or
  - vi. severe learning disability and need additional space for specialist equipment;
  - vii. you have a severe long-term limiting illness and sharing a bedroom will exacerbate your problems e.g. you have an immune deficiency.

## **(b) Ground floor or category A or B wheelchair accessible on health/disability grounds**

145. An additional recommendation that can be made is that an applicant must have a home that has been designated wheelchair accessible category. Homes that are designated Wheelchair Category A will not be advertised in the usual way, but will be offered direct to a household needing this type of home through Project 120.
146. If you have been offered a home through Project 120 your landlord may ask you to move to a new home if your circumstances change and you no longer need a home that is Wheelchair accessible.
147. Applicants awarded the recommendation that they must have a home on ground floor will be placed in Band 1 Group A unless no medical priority has been awarded. Apart from emergency status, Band 1 Group A is the highest possible priority in the allocations scheme. The preference date will be the date the application for an assessment was made.
148. Where an under occupier, decant, management applicant currently on the ground floor and in Band 1 Group A has bid for a ground floor property with an earlier preference date than an applicant who has been given a recommendation that they must have a ground floor property on medical grounds, discretion may be exercised to offer the property first to the applicant with the medical recommendation.

## **(c) Care and support**

149. If you need care because of your health problems, there are different ways in which support can be provided. You could live with the person you are supporting (or who supports you). Or you each may want to have your own home, but move nearer to each other.

As you can choose to apply for advertised homes you should talk with the person you support (or who supports you) about the best solution to your support needs. You may want to consider both applying for homes in each other's areas to see who is successful first. Or it may be that one area is better for you

both because it is near a particular doctor, or hospital, or other support. The health advisor will only give preference to an application where care and support are an issue if your application meets the criteria to be given preference on health grounds and there is no one currently living with you who can reasonably provide the support you need.

150. If you are awarded priority on grounds of health and specific and essential housing need recommendations are made by the health advisor, you will only be made an of accommodation in line with those recommendations.

## **Homes that may be offered first to certain groups of applicants**

### **Designated accommodation**

151. There are some homes that have been designated for specific groups of people, either because of age, disability or other defined criteria. When this type of vacancy occurs it will be advertised giving preference to those who meet the designated criteria. This will be specified in the advert and we will only let the property to a household that meets all the designated criteria.

### **Homes designated as wheelchair accessible category A or B**

152. Homes designated as wheelchair accessible Category A will be directly allocated to applicants recommended for this type of property through the Project 120. As part of the Project 120, the council is actively working with registered housing providers to identify and secure new build wheelchair standard homes for disabled applicants

### **Homes with access to gardens or play areas, on the ground floor**

153. There is a large demand for homes on the ground floor, with gardens. Preference for this type of accommodation may be given first to households that the health advisors have recommended should live in this type of home. Normally, tenants currently living

on the ground floor and who are under occupying, being decanted, have been given a priority social award, and those recommended ground floor only on health grounds will be considered in priority order.

### **Homes provided by Registered Providers (RPs) with a specialist remit**

154. There are Registered Providers who provide specialist services to specific groups of people in the local community. This can be because these groups of people have been disadvantaged in the past or have special needs. When one of these landlords has an available home it will be advertised only to those who meet the designated criteria. This may be specified in the advert or used when we come to decide who should be made the offer of the home. We will only let the property to an application from a household that meets all the criteria.

### **Flats on the ground floor**

155. Preference for flats on the ground floor will be given to applicants who have a recommendation that they will be offered a home with no internal stairs.

## **Discretionary Additional Priority**

### **I have an urgent or unusual reason for wanting to move**

156. There are times when an applicant may be considered for discretionary additional priority for unusual or urgent reasons that are not covered by the general criteria in the Allocations Scheme. There are also times when it is in the community's interest that a household is given additional priority for housing.
157. The Housing Management Panel will make all decisions to award discretionary additional priority under this policy unless an application is considered an emergency. In these cases a senior manager will make the decision.

158. The circumstances under which a discretionary priority award may be agreed are:
- i. Where an applicant has an exceptional need or where a combination of significant social/welfare/medical/ safety or urgency factors occur that cannot be adequately dealt with within the normal rules of the Allocations Scheme.
  - ii. Where it is in the Council or a Common Housing Register partner landlord's interest to award additional priority for: effective management of the stock; for financial or legal reasons; or in order to support housing strategy objectives or priorities; or to remedy an Injustice; or granting a new tenancy to applicants that do not have a statutory right to succeed.
159. The purpose of having this discretion is to respond to exceptional cases. Whilst it is not possible to define all the circumstances where discretion should be exercised, any decisions should fall within the guidance set out above for genuinely exceptional and justifiable reasons.
160. Decisions to grant discretionary additional priority should not be made in circumstances that do not reflect the broad direction of policy and priorities set by the Council and its Common Housing Register partners.

Some examples are given below as a guide.

- if moving will prevent a child or elder needing to live in institutional care. Including Tower Hamlets' children subject to a Special Guardianship Order;
- if you are attending Court as a witness against someone accused of anti-social behaviour;
- if you are threatened with or are experiencing violence and it is no longer reasonable for you to live at home;
- if you are threatened with or are experiencing problems that mean it is no longer reasonable for you to live at home.

The list is not exhaustive and an award may not be made in every case where

these circumstances apply. Each case will be individually considered based on the information and evidence available to the case.

The demand for homes in Tower Hamlets is so great that even with discretionary additional priority award you may have to wait a long time before you will be offered an alternative home.

### **If I want to be considered for additional priority what should I do?**

161. We will need to investigate your circumstances and gather information and evidence in order to assess your claim.
162. First, you should tell your landlord why you want to move. If you are not happy speaking with your landlord about this, you can ask for help from staff in the Lettings Team, Idea Stores, Housing Office, legal or other voluntary advice centres in the Borough.
163. In most cases, reports on behalf of tenants will be co-ordinated by their housing officer or equivalent. This will ensure staff managing the tenancy are aware of all issues affecting residents in their area.
164. If you are not a tenant, then a lettings officer will be assigned to the investigation if it is considered inappropriate for the investigation to be carried out locally.
165. You may ask someone else to make a request on your behalf. This may be a solicitor, a social worker, or other advocate. If a third party makes a request, it will usually be referred to your housing officer or lettings officer to investigate.
166. The officer managing your case will get information from all relevant sources and then submit it to the Lettings Team. It is in your interest to present all available information or evidence about the circumstances that you feel justifies you being considered for a discretionary additional priority award and therefore given greater priority for housing over other applicants on the Housing Register.
167. We will consider the reasons why you feel you cannot continue to live where you do now. We

will also consider whether it is reasonable for you to live there, the support you have there and if there are actions that can reasonably be taken to help you to continue to live there. If there is no other effective solution available, giving additional priority for rehousing you may be decided upon as the most appropriate course of action.

168. We will not normally consider referrals on grounds of health or overcrowding as provision for this is already made elsewhere in this policy.
169. The officer dealing with your case will prepare a report that gives full details of the grounds for additional priority to be considered. This should include evidence from all relevant interested parties (such as the Police, Victim Support, Social Services, Schools, Anti- Social Behaviour Control Unit, health professionals etc.) This co-ordinating role is important as it ensures that local staff are aware of issues in their area.
170. We receive hundreds of requests each year to carry out assessments for priority on social grounds. The Lettings Officer will make an initial decision on whether or not your application should be referred to the Panel. You will be informed of the decision and if you disagree with it you may ask for a review of the decision as set out in Appendix 3.

### **If you fear violence**

171. If you feel unable to continue to live where you are because of fear of violence then you should approach the Council's Housing Options (Homeless) Service, which has a statutory duty to carry out an assessment and consider whether the Council has a housing duty to you. This includes if you are experiencing any type of hate crime, domestic violence, racial harassment, or other harassment from any other source. They will decide if a statutory duty is owed to you.
172. We are committed to taking all legitimate action against the perpetrators of anti- social behaviour or hate crime. This could include taking legal action against perpetrators. The aim is to ensure that you have a safe place to live and where appropriate we will do all we reasonably can to secure this for you.

- 173. We will not give priority for housing to the perpetrators of anti-social behaviour unless there are overwhelming and justifiable reasons to do so.
- 174. Where a referral is made to the Homeless Service, Homeless Officers will explain to you what will happen.
- 175. Where appropriate your case can also be referred to the Housing Management Panel.

### **The Housing Management Panel**

- 176. This is a panel of at least three officers, one of whom will be a manager. The Panel will make all decisions on requests for discretionary additional priority unless the case is considered an emergency. In these circumstances a decision can be made by a senior manager before a meeting of the Panel. Normally you will not be able to attend the Panel meeting, although in exceptional cases the Chair has discretion to agree to your attendance.
- 177. The officers on the Panel will make a decision based on the information and evidence they are given about your case. It is therefore important that you tell the officer who is investigating your case everything that may be relevant.
- 178. The Panel sits monthly. If discretionary additional priority is awarded, the Lettings Officer will write to you with the decision and any conditions of the award. If it is decided that no priority will be given, or that more information is needed before a decision can be made, then the officer investigating your case will write to you giving details.
- 179. We aim to inform you within five working days of the Panel meeting with details of the decision, the reasons for it and any conditions attached to it. If you do not agree with the decision you can ask for a review.

### **What additional priority may be awarded to my application?**

- 180. There are two levels of additional priority that can be made to your application, a) additional priority social need award and b) emergency priority award. They are set out in detail below.

### **Additional priority social need award**

- 181. This is one of the awards that can be made by the Housing Management Panel. If it is awarded the application will be placed in Band 1 Group B. Your preference date will be the date your case was first considered by the Panel.
- 182. The Lettings Officer managing your case will review the priority awarded to your application every three months to confirm whether the award made to you continues to be justified. If due to change of circumstances it is considered the award is no longer justified your application will revert to the status before the award was made. It is therefore very important that you continue to report anything that happens that may be relevant to your award.
- 183. It is important that you make an informed decision about the type of homes that will become available. The additional priority you have been given reflects a genuine and compelling reason for you to move. This will give you higher priority than most applicants in housing need on the Housing Register.
- 184. Offers with this award will be made on a like-for-like basis, unless there are sound reasons why this should not be the case. You will only receive one offer of suitable and reasonable accommodation. Where appropriate you may be made a direct offer.
- 185. If you have not moved to permanent accommodation within three months then your application will be included on lists for all suitable and reasonable vacant homes that become available. When considering what is suitable and reasonable, you will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in and you will be asked to explain why you are not able to consider them. You will not be asked to live in an area where you are not safe.

186. If you refuse a home that is offered to you, the additional priority awarded to your application will be withdrawn. If temporary accommodation has been provided this will also be withdrawn. If you do not attend a viewing, we will assume that you have refused the property unless there are genuine reasons why you could not turn up and you could not tell us beforehand. In addition, the penalties for refusals set out in this policy document will apply.
187. If you disagree with a decision made you can ask for a review. (See Appendix 3). Whilst we will consider every review on its merits, for a review to succeed there should be genuine reasons why the property was not suitable for you or why it was not reasonable for us to make you the offer. We will consider whether you have chosen the property (either in response to an advert or if the property meets the choices you have told us about in the past); the circumstances that you have told us about justifying your application being given higher priority; and the reasons why you feel the offer made was not suitable or reasonable.

### **Emergency priority award**

188. This is the highest priority award available and will only be given in exceptional circumstances. Your preference date will be the date your case was first considered by the Panel or the date of an award if a senior manager makes the decision. If awarded, the application will be placed in Band 1 Group A. Applicants awarded emergency status are considered first for any suitable homes available.
189. The Lettings Officer managing your case will review the priority awarded to your application every three months to confirm whether the award made to you continues to be justified. If due to change of circumstances it is considered the award is no longer justified your application will revert to the status before the award was made. It is therefore very important that you continue to report anything that happens that may be relevant to your award.
190. It is important that you make an informed decision about the type of homes that will

become available. The additional priority you have been given reflects a genuine and compelling reason for you to move. This will give you higher priority than any applicants on the Housing Register except emergency cases agreed before you.

191. Offers with this award will be made on a like-for-like basis, unless there are sound reasons why this should not be the case. You will only receive one offer of suitable and reasonable accommodation.
192. If you have not moved into permanent accommodation within one month then your application may be included on lists for all suitable and reasonable vacant homes that become available.

When considering what is suitable and reasonable, you will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in and you will be asked to explain why you are not able to consider them. You will not be asked to live in an area where you are not safe. Where appropriate a direct offer may be made.

193. If you refuse a home that is offered to you the emergency priority awarded to your application will be withdrawn. If you do not attend a viewing, we will assume that you have refused the property unless there are genuine reasons why you could not turn up and you could not tell us beforehand. In addition, the penalties for refusals set out in paragraphs 96-101 of this policy document will apply.
194. If you disagree with a decision made you can ask for a review (see Appendix 3). Whilst we will consider every review on its merits, for a review to succeed there should be genuine reasons why the property was not suitable for you or why it was not reasonable for us to make you the offer. We will consider whether you have chosen the property (either in response to an advert or if the property meets the choices you have told us about in the past); the circumstances that you have told us about justifying your application being given higher priority; and the reasons why you feel the offer made was not suitable or reasonable.

## When you need re-housing because of the condition of your home

195. When a surveyor employed by either the Council or partner landlord reports that it is not reasonable or possible for you to continue to occupy your home while repairs are being carried out, your application will be awarded an emergency priority and placed in Band 1 Group A. The preference date will be the date the award was made.
196. Offers with this award will be made on a like-for-like basis, unless there are genuine reasons why this should not be the case.
197. If you have not accepted an offer of permanent alternative accommodation within one month of the award being agreed then your application will be included on lists for all suitable and reasonable vacant homes that become available. Where appropriate you may be made a direct offer.
198. When considering what is suitable and reasonable, you will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in and you will be asked to explain why you are not able to consider them. You will not be asked to live in an area where you are not safe.
199. You will be made only one offer of permanent alternative suitable and reasonable accommodation with this priority. If you refuse it then temporary accommodation will be secured for you for the duration of the repair works and you will be expected to move back to your home once the repairs are completed.
200. If we are not able to secure permanent alternative suitable and reasonable accommodation for you within 3 months of the award being agreed, or if it is not safe for you to continue to live in your current home, then temporary accommodation will be secured for you for the duration of the repair works. The emergency priority award will be withdrawn and you will normally be expected to move back to your home once the repairs are completed.

## What if I disagree with the Panel's decision?

201. If you disagree with any decision of the Housing Management Panel you can ask for a review (see Appendix 3).
202. Whilst we will consider every review on its merits, for a review to succeed there should be genuine reasons why the property was not suitable for you or why it was not reasonable for us to make you the offer. We will consider whether you have chosen the property (either in response to an advert or if the property meets the choices you have told us about in the past); the circumstances that you have told us about justifying your application being given higher priority; and the reasons why you feel the offer made was not suitable or reasonable.

## How long before I am housed if I am awarded additional priority?

203. We are not able to tell you how long you can expect to wait before an offer of alternative accommodation is made to you. This is dependent on the number of suitable available homes that become available and the number of other applicants who may have greater priority than you. However applicants given emergency status are considered first for all the homes available. Applicants given discretionary emergency priority are in Band 1 Group A, the highest priority band in the Allocations Scheme.

## Priority Target Groups

204. Listed below are groups of applicants that will be given additional priority because of their specific circumstances; or that it is in the community's interest to do so; or where there may be a statutory duty. Applicants in these groups will be placed in Band 1 Group B and are referred to as 'priority target groups'.
205. Targets will be set for these groups based upon the number of applicants who qualify for these groups and an assessment of the housing needs and priorities prevailing in the Borough in order to balance the group's needs with other applicants and the housing supply available. Targets will be decided in order to plan for the anticipated number that will require housing.

206. To qualify for a priority target group, unless otherwise stated, you must be eligible for the Housing Register according to the prevailing Allocations Scheme. It is in yours and your sponsor's interests to provide sufficient information and evidence to demonstrate that you are eligible.
207. Unless otherwise stated, there will be no time limit on the choices you can make when your application is in one of these groups. When considering what is suitable and reasonable, you will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in and you will be asked to explain why you are not able to consider them. You will not be asked to live in an area where you are not safe. If the Priority Target Group you are in is time limited, after the waiting time you will be placed on auto-bid and considered for all suitable and reasonable properties.
208. It is important that you make an informed decision about the type of homes that will become available. You will receive only one offer of suitable and reasonable accommodation with this additional priority and if it is refused then the award will be withdrawn. If your application is otherwise eligible for the Housing Register it will be removed from the priority group and re-assessed for priority.
209. If you are offered a home but do not attend a viewing, we will assume that you have refused the property unless there are genuine reasons why you could not turn up and you could not tell us beforehand.
210. You can ask us to review the decisions to withdraw any priority award as set out in Appendix 3. We will consider every application for a review on its merits. For a review to succeed there should be genuine reasons why the property was not suitable for you or why it was not reasonable for us to make you the offer. We will consider whether you have chosen the property (either in response to an advert or if the property meets the choices you have told us about in the past); the circumstances that you have told us about justifying your inclusion in the quota group;

and the reasons why you feel the offer made was not suitable or reasonable.

### **Care Leavers**

211. The Council's Children's Leaving Care Team will sponsor you for housing priority. If you have not moved in to permanent accommodation within 6 months then your application will be included on lists for all suitable and reasonable vacant homes that become available.
212. The Council recognises that as your Corporate Parent it has a particular responsibility to Care Leavers to ensure that accommodation allows the best opportunities for young people and to ensure stable good quality accommodation that supports the development of their education, training and employment opportunities. This means that you will be entitled to three offers of a new home before you are removed from the quota group.

### **Supported Housing Move On - Mental Health**

213. The Council's Mental Health Services administer this scheme and sponsors single people living in supported mental health accommodation for housing priority. You will be considered for bed-sit or 1-bedroom properties only.
214. If you have not moved into permanent accommodation within 12 months then your application will be included on lists for all suitable and reasonable vacant homes that become available.

### **Foster Carers**

215. If the Council's Foster Care Team sponsor you for housing priority you will normally be considered for one additional bedroom to that needed by your immediate family.
216. If you have adult sons or daughters living with you who are willing to move to a new home of their own, we can award additional priority to them to release space in your home to accommodate foster children.

## **Living in a decant block with a Council or CHR partner landlord tenant**

217. You will be placed in this group if you have been living with a Council or CHR partner landlord tenant for the previous 12 months as your only or principal home prior to a decant being declared to the property.
218. If you have not moved in to permanent accommodation within 6 months then your application will be included on lists for all suitable and reasonable vacant homes that become available. Where appropriate you may be made a direct offer.
219. We are not able to guarantee that we will be able to help you with re-housing before the tenant has to move. If you are still living with the tenant when they have to move you will be expected to make your own arrangements for housing and you may be able to continue with your Housing Register application from your new address.

## **Sons and daughters of tenants of CHR partner landlords**

220. Your application can be placed in this group if you have been living with your parents for the previous five years as your only or principal home, and they are tenants of the Council or a Common Housing Register partner landlord, and one of the following circumstances apply:
- i. your parents are registered on the housing register and their application has been awarded a health priority;
  - ii. you need no larger than a 1 bed home and your parent/s also wish to move to a smaller property where there is a net bed gain and a 2 bed or larger property would be available to let to another household on the Housing Register. In these circumstances we will usually make direct offers to both parties simultaneously to ensure vacant possession of the existing tenancy;
  - iii. your parents' household (excluding you and your immediate family and anyone else who is not their immediate family) is living in overcrowded conditions lacking two or more bedrooms.

221. We cannot guarantee that you will be offered housing before your parents move. If you are living with them when they move you will be expected to make your own arrangements. If they do not give their landlord vacant possession they may be asked to return any Cash Incentive Grant Retiring. If your parents fail to move once you do then, unless there are justifiable circumstances, your landlord will seek possession of your new home.

## **Host Team Referrals (Supported Housing Move-On)**

222. The Council's HOST Team will determine the appropriate route out of Supported Housing in accordance with the Hostels Pathway procedure which ensures that people who are ready to move on to independent living can access suitable accommodation in the Private rented or Social Housing Sectors. The suitability of accommodation will be determined by an assessment of the applicant's housing need regardless of tenure. Access to social housing under this scheme will be determined solely by the availability of properties, in accordance with the Hostels Pathway procedure.
223. If you are made an offer of accommodation in the private sector and you refuse that offer your priority under this scheme will be withdrawn.

## **Key Workers**

224. There are many public sector jobs where it is hard to recruit and retain essential staff. If you are employed full or part time on a permanent contract within the Local Authority area as one of the following you will be considered for inclusion in a target group:
- ambulance staff who are paramedics;
  - fully qualified nurses working in the Borough's NHS hospitals;
  - fire fighters and police officers stationed in the Borough;
  - teachers working in the Borough's LEA maintained schools
  - social workers employed on a permanent contract by the Council

225. This scheme aims to help a small number of people in these occupations who do not currently have a social tenancy and/or do not currently live within a reasonable distance of their workplace.
226. There is a serious shortage of homes with four or more bedrooms. Therefore, if your household needs this size of accommodation you will not normally be considered for this priority.
227. There are a small number of designated 'key worker' blocks and you will be able to apply for this accommodation in line with the prevailing Allocations Scheme.
228. Some of the housing providers in the Borough offer shared homes. The Council and partner landlord will only offer you this type of home if you tell them that you would be interested in it, or if there are a number of key workers who want to share.

### **Ex service personnel**

229. Ex service personnel, including bereaved spouses or civil partners, will have their applications assessed in line with this policy. Local connection criteria will not be applied. In some cases, where there is an urgent need for rehousing because of serious injury, illness or disability, applicants will be placed in Band 1, Group A. This is where a wheelchair home is required or emergency priority has been awarded because social or medical grounds apply.

### **Right to move**

230. Government regulation now requires the Council to give reasonable preference to 'social tenants' who want to move for employment reasons where the employment is for more than one year and over 16 hours per week. Applicants, which may include apprentices, will be placed in a Priority Target Group in Band 1 Group B if the council is satisfied that undue hardship would be caused. Qualifying applicants will receive one offer only. The target for lets to applicants who qualify for an employment related move from all mobility schemes will be 1% of annual lettings.

## **Decants**

### **What happens if a decision is made to refurbish, redevelop or demolish my home, and I have to move?**

231. If you are a Council or partner landlord tenant and your landlord makes a decision that you have to move then we will do our best to ensure that you and your family are re-housed to a home that you will be happy in. This process is called 'decanting'. It means that a property has to be empty for works to take place or a decision to demolish the property has been made. This usually happens only after residents have been asked for their views or when there has been an emergency leaving the property unsafe. Unless otherwise stated here, the prevailing Allocations Scheme will apply to all applicants. You will be told the date on which your home has to be empty. This is called the 'clearance date'.
232. Your landlord will usually talk to you about all the re-housing options available to you and your family. Some schemes may involve new homes being built. Others will mean you have the right to return to your old home once works are finished. You may wish to move to another part of the Borough or consider home ownership. We will try to help you make an informed decision about the best choices for your family. You will be asked to fill in a re-housing application form. If anyone in your household has special housing needs because of health or disability problems, you will be asked to fill in a housing health assessment form.

### **Will I be offered new homes being built?**

233. Many decant schemes include new homes being built to replace those being demolished. The new homes will usually be owned by a Registered Social Landlord, not the Council. You may be offered a tenancy with the new landlord. You will be told at the beginning of a decant scheme whether or not new homes are being built. If they are, then you may be given the choice of them. We will try to develop a new home that meets your family's housing needs but we cannot promise that in every case it will be possible.

If more tenants want new homes than the numbers that are being built or more than one household wants a single plot, preference will be decided as follows:

234. Tenants with decant status where their clearance date is less than a year away; or need a 4 bed home or larger; or a home that is wheelchair accessible category A or B, will be placed in Band 1 Group A. The preference date will be the clearance date. Priority for available homes will be given in clearance date order with the tenant with the earliest date being considered first and so on. Where tenants have bid for a home and have the same clearance date, any tenants with a medical award or are overcrowded will be given preference. If this does not resolve the issue, the tenant with the earliest tenancy date will be given preference.
235. Tenants with decant status in Band 1 Group A who have not received or accepted an offer within six months of their clearance date will have their case reviewed by a senior officer and where appropriate, their priority may be amended.
236. Tenants with decant status where their clearance date is more than a year away will be placed in Band 1 Group B. Their preference date will be the clearance date. Priority for available homes will be given in preference date order as above.

### **What happens if I have an "option to return"?**

237. Some regeneration schemes mean that your current home will be refurbished. Sometimes your home will be demolished. In either case you may be given an option to return to the new properties built on the site of your demolished block or to your old home once works to it have been completed. You will be given a written promise of the option to return. Your landlord will find a temporary home for you to live in until you can return permanently. Wherever possible the temporary home will be suitable for your family's housing needs. However, if we cannot find a property that meets all your housing needs you may have to move to a home that is like- for-like with the home you are leaving. You may be in a temporary home for some time, maybe years

if a new home is being built. If you change your mind and want to stay in the temporary home permanently, wherever it is reasonable for you to do so we will agree.

### **Do I have to move to new homes built to replace my demolished home?**

238. Wherever possible you will be given the choice of where you want to move. However, you will be given a date by which you have to make a final decision about whether or not you want to move to new homes being built. This is to ensure that a home will be available for you and choices about that home (such as layout, colours, fittings or adaptations) can be made whilst it is being built.
239. If you do not want to move to new homes being built then your application will be put in Band 1 Group A or B as set out above. You can then apply for any vacant properties that are advertised. Your preference date will be the clearance date your landlord has decided is necessary to have the properties empty. Preference will then be decided as set out above.

### **What happens if I do not apply for a new home before the clearance date?**

240. Whilst we will try to help you find a new home that meets all of your choices it may not be possible. It is important that you make an informed decision about the type of homes that will become available.
241. If you haven't been able to identify a home you want then it may be necessary to serve a legal notice. This is a legal document that allows your landlord to ask a Court to instruct you to leave your home. You will not be homeless if this happens, as we will have to assure the Court that we have suitable alternative accommodation available for you to move in to. This may be like-for-like the property you are leaving.
242. Serving a legal notice is always a last resort when you have not accepted any of the other housing options available to you. We have to do this to ensure that a decant scheme can proceed so protecting the interest and rights of other residents.

## **If my home is being decanted how many homes can I apply for?**

243. Until you accept an offer of re-housing you can continue to apply for any homes that interest you up until six months before the decant scheme's clearance date.
244. If you have not moved by this date, then you will be made an offer of the next property that we consider reasonable to meet the minimum housing needs of your family. If you do not accept it then we may ask a Court to instruct you to move as described above.
245. If you are successful for an advertised vacancy and it is suitable and reasonable your landlord will expect you to move to it. If you do not and a legal notice has been served (as described above) either the property will be held for you or you will be made an offer of the next property that we consider reasonable to meet the minimum needs of your family. If you still do not move then your landlord may ask a Court to make you move.

## **What size home can I apply for?**

246. You can apply for the size of home that meets the needs of your household, as described above in paragraphs 80-86.
247. However, if you currently live in a home that is larger than that standard you can apply for a home that has one bedroom larger than the standard to a maximum of the same size as your current home up to a 3 bed property. If you choose to apply for a larger home than the standard then it must be a flat or maisonette on the same floor level as you are now living. For example, if you live in a 3 bedroom flat on the 4th floor and you need a 1 bedroom home you can apply for a 1 bedroom property on any floor level or a 2 bedroom flat or maisonette on the 4th floor or above.
248. There is a shortage of homes with 4 or more bedrooms so you will only be considered for this size home if you need it.
249. If you choose to move to new homes being built you will only be considered for the size of home that meets the needs of your household as set out in paragraphs 80-86.

250. If you are a Council tenant and you agree to move to a smaller home you will be entitled to the incentives that are available as set out in paragraph 111/112.
251. If, during the course of the decant, a separate re-housing application is received from your address that has been awarded additional priority because of the decant (e.g. if your son or daughter wish to be re-housed independently) you will only be able to apply for a home the size of your own assessed need.

## **Will I get help with the cost of moving?**

252. If you have been living in the property for at least 12 months before a decant is agreed then a 'Home Loss' payment will be made. The Government, not your landlord, decides the amount, which is reviewed annually. For joint tenancies only one payment is made. You will be told if there is any change in this amount following the annual review.
253. Your landlord will also pay reasonable removal expenses. This is for things such as the cost of hiring a removal van; disconnection and reconnection of services such as gas, electricity and your telephone; hiring a plumber to connect your washing machine and an electrician or engineer to move your cooker. You should always use properly qualified people and must ensure that a properly registered fitter carries out any works to your gas supply.
254. There is a maximum amount that will be paid. When your landlord visits to talk to you about the decant, they will tell you how much you can claim. You will be asked to provide receipts that show that you have paid for the service. In some cases, your landlord may be able to give you some of the money before you move if you would otherwise have difficulty paying for services at the time of moving.
255. If you owe your landlord money, such as rent arrears, they may deduct it from any Home Loss or expense payments you claim. If the money you owe is more than you can claim, you will be expected to make an agreement to pay the outstanding amount back.

## **What happens to other people who won't be moving with me? Will they get help finding a home?**

256. Anyone who is not your immediate family, as defined above, will have to register separately for housing unless your landlord agrees otherwise. There is provision to house them through a priority target group in Band 1 Group B. To qualify for this group the person must be able to prove that they were living with you in the property as their only or principal home continuously for at least 12 months before the decant scheme was agreed.
257. They must also be eligible to be on the Housing Register. Their application will be placed in Band 1 Group B. Their preference date will be the date the decant was agreed. They can then apply for advertised vacancies.
258. If they refuse a home that is offered to them their priority will be withdrawn. If they do not attend a viewing, we will assume that they have refused the property unless there are genuine and substantial reasons why they could not turn up and could not tell us beforehand.
259. They can ask us to review a decision to withdraw any priority award (see Appendix 3).
260. We will try to ensure that they have at least one offer before you have to move, but we cannot promise that this will happen. If they are still living with you when you are moving they will be expected to leave the property when you do and make their own arrangements for housing.
261. You have to give your landlord vacant possession of your home as described above. If you do not give vacant possession your Home Loss payment may be withheld and your new home may not be available to you.
262. Anyone who does not qualify for this additional preference may apply for housing in the usual way but will be expected to leave the property when you do and make his or her own arrangements for housing.

## **I own a home that is included in a decant scheme. Will I be re-housed?**

263. Unless there are exceptional circumstances, we will not consider you for housing priority if you are a homeowner. We may be able to help you find shared ownership or other low cost home ownership opportunities, but once your landlord has negotiated to buy back your home, you will be expected to make your own arrangements for housing.
264. On the exceptional occasions that it is agreed a homeowner is to be considered for housing priority, they will be included on lists for all reasonable vacant properties that become available.
265. If you are offered a property that your landlord thinks is reasonable and then refuse to move to it, the property will be held whilst your landlord asks a Court to instruct you to move.
266. If you do not apply for a property then you will be made an offer of the next available property that your landlord considers reasonable to meet the minimum needs of your family and this will be held whilst your landlord asks a Court to instruct you to move.
267. If you have not moved within one month of the completion date of your property being bought back then you will be made an offer of the next property that your landlord considers reasonable to meet the minimum housing needs of your family. If you do not accept it then your landlord may ask a Court to instruct you to move, as described above.

# Appendix 1 – How decisions are made to place you in a Band

## Band 1 Group A

### Emergencies

268. The decision to award an emergency priority can be made by a senior manager or the Housing Management Panel based on the individual circumstances of the household. It will usually consist of a combination of exceptional social/welfare/safety/ medical and urgency factors affecting an applicant or their household that cannot be adequately dealt with within the normal rules of the Allocations Scheme (see paragraphs 133 and 189).

### Decants

269. The decision to decant a block can only be made by councilors (for Council properties) and Management Boards (for partner landlord properties) (see paragraphs 231-267). This decision must also be ratified by Tower Hamlets Common Housing Register Forum.

### Ground Floor Priority/Category A or B Wheelchair Home

270. The decision to award priority for ground floor on medical or disability grounds is made by a Lettings Officer following a medical assessment and recommendation by a health advisor (see paragraphs 145-148).

### Under occupiers or downsizing

271. If you are an existing social housing tenant applying for a home with at least 1 bedroom less than you currently have (see paragraphs 109-112 and 116). If you are a tenant of a landlord who is not a partner in the Common Housing Register then a reciprocal agreement will be required.

## Band 1 Group B

### Priority Medical Award

272. This award is made by a Lettings Officer following a health assessment and recommendation by a Health Advisor (see paragraphs 135-138).

### Priority Social Award

273. The decision to make this award is made by a Panel including a senior officer in circumstances as set out in this policy (see paragraphs 182-188).

### Priority Target Groups

274. The decision to make this award is made by a Lettings Officer if evidence is provided to verify that an applicant meets the criteria for the relevant target group (see paragraphs 205-230 for details of the groups).

### Priority Target Group – Single homeless in priority need due to vulnerability

275. A Homeless Officer from the Council's Housing Options Service makes this decision following a homeless assessment (see paragraphs 59-63).

## Band 2 Group A

### Homeless applicants with children and in priority need

276. A Homeless Officer from the Council's Housing Options Service makes the decision on homeless applications whether the Council accepts a Homelessness Reduction Act application and a full statutory duty following

investigation and an assessment (see paragraphs 59- 63).

### **Overcrowded applicants**

277. This will be based upon an assessment and verification of your circumstances as stated on your housing application. A Lettings Officer will make this decision. (Note: Single applicants lacking a room of their own will be included in this category. This includes applicants who have been found to be homeless but following assessment are not in priority need). The assessment will be based on the Council's bedroom standard policy.

### **Band 2 Group B**

278. Resident households without an established local connection but are in housing need.

## **Band 3**

### **Applicants who are not in housing need eg overcrowded**

279. This will be based upon an assessment and verification of your circumstances as stated on your housing application. A Lettings Officer will make this decision.

# Appendix 2 – Preference Dates

280. Each applicant will be given a preference date on the Housing Register. In some bands this will be their original date of application. For others it will be a date of notification of their change of circumstances especially where higher priority has been given. How the preference date is decided for each category in each band is set out below.

## Band 1 Preference Dates

<b>GROUP A</b>	<b>SORTED BY EMERGENCIES FIRST THEN EARLIEST PREFERENCE DATE AS DEFINED BELOW</b>
Emergencies	Date of Award
Ground Floor Medical/Disability/Wheelchair Accessible Category A or B	Date of application for medical assessment
Priority Decants	
(less than a year to clearance date – or as a decant require 4 bed or larger – or as a decant require wheelchair accessible category A or B)	Earliest clearance date
Under Occupiers	Greatest number of bedrooms released first then date order of application

<b>GROUP B</b>	<b>SORTED BY EARLIEST PREFERENCE DATE AS DEFINED BELOW</b>
Priority Medical	Date of application for assessment
Priority Social	Date of award by Housing management panel
Decants	
(More than a year to clearance date)	Earliest clearance date
Priority Target Groups	Date of application for the target group
Priority Target Group single homeless assessed as in priority need due to vulnerability where the Council has accepted a full statutory duty	Date of application as homeless

## Band 2 Preference Dates

GROUP	DESCRIPTION
<b>GROUP A</b>	
Overcrowded applicants on the Housing Register on the date this Allocations scheme is implemented	Original date of application (defined as the date the application was received)
New applicants who are overcrowded	Date of application (defined as the date the application was received)
Applicants who are not overcrowded at the time of application who have since become overcrowded	Date of notification of change of circumstances
Applicants moving from Band 1 to Band 2	Earliest preference date in Band 1 or 2 (if they were previously in Band 2)
Homeless applicants with children where the Council has accepted a full statutory duty	Date of application as homeless
Applicants moving from Band 2 Group B	Date when 3 years continuous residence is satisfied
Single non priority homeless	Date of application as homeless
Applicants owed a homelessness prevention or relief duty	Existing preference date or date of homeless Application
<b>GROUP B</b>	
Applicants without an established local connection but in housing need, including homeless applicants owed a prevention or relief duty or full housing duty	Date of housing or homeless application  Will be moved to Band 2 Group A with a new preference date on completion of 3 years continuous residence in the borough following a review

## Band 3 Preference Dates

GROUP	DESCRIPTION
Applicants who are not overcrowded and do not have a social housing tenancy.	Date of application
Applicants moving to Band 3 from Bands 1 or 2 due to change of circumstances	Earliest date of application

## What if my circumstances change?

281. If your circumstances change, for example you change address or your family composition changes, or you apply for additional priority on medical or social grounds you may be moved to another band and be given a new preference date. The following rules apply should this happen.

### Rule 1:

282. When moving up a band, i.e. to a higher priority band, a new preference date based upon the change of circumstances will be given.

283. The reason for this rule is that an applicant will not overtake applicants that were already in the high priority band before them.

### Rule 2:

284. If an applicant moves from Band 1 to Band 2 – they will retain the earliest preference date they were in Band 1 or 2 (if they were previously in Band 2).

285. Applicants in Bands 1 & 2 fall within the categories where the law states they must be given 'reasonable preference' on the Housing Register. The reason for this rule is that if an applicant was in this category in Band 1, it is considered fairest that they do not lose time spent waiting in a reasonable preference category if they move to Band 2 where they will also be in this category. The preference date will be the earliest date the applicant was in reasonable preference category.

### Rule 3:

286. If an applicant moves from either Band 1 or 2 to Band 3 – they will retain their earliest date of application.

287. The reason for this is that if, due to a change of circumstances, an applicant moves to a lower priority band they do not lose time already spent on the Housing Register in a higher band.

# Appendix 3 – Right of review

## **What if you make a decision about my application that I do not agree with?**

288. You can ask for a review on any decision that is made about your application. You should do this within 28 days of the decision being notified to you. If you ask us to review a decision to exclude you from the Housing Register, a more senior officer who did not make the original decision will carry out a review.
289. If you ask us to review a decision on the suitability or reasonableness of an offer of accommodation that you have refused so that the priority awarded to your application is withdrawn, a more senior officer who did not make the original decision will carry out a review.
290. If you disagree with the Council's decision following a recommendation by a health advisor, a review will be carried out by another health advisor who has not been involved in the first assessment of your application for priority on health grounds. The Council will make a final decision based upon the recommendation of the second health advisor.

## **Further enquiries may be made at any stage of this process if appropriate.**

291. If you ask us to review a decision about the priority awarded to your application by the Housing Management Panel, the Panel will first review any additional information or evidence that is presented. If you still disagree with the Panel's decision, a more senior officer than the chair of the Panel will carry out the review, which will be our final decision. The senior officer will be someone who has not had any previous involvement in the matter.
292. For reviews of any other decision made regarding your application, an officer who was not involved in the original decision, but not necessarily someone more senior to the officer, who made the first decision, will carry out a review.

293. If you wish to request a review of a decision it should normally be in writing. This is to make sure that we have a record of what you have told us.
294. In exceptional circumstances we will agree to you making the request in person. We will aim to tell you the result of a review within 56 days from the date of your request unless it is necessary to request further information. If more time is needed we will let you know. Normally, the decision is made more quickly than this. We will also tell you how we have made our decision.