



mhs  
homes

Approved by: Assistant Director of  
Customer Services

Version: 1

**Housing Services**

<b>Author / Reviewer: Transition Manager</b>	<b>Implementation Date:</b> January 2019
<b>Responsible Officer: Customer Services Manager</b>	<b>Review Date:</b> January 2022
<b>Purpose:</b> To give guidance and provide a framework on how we will let our homes and the homes we manage on behalf of others.	
<b>Related ISO Staff Guide:</b> 6.3	

**1. Introduction**

- 1.1 This policy applies to the letting of all mhs homes and Heart of Medway Housing Association properties and the term 'we' and 'our' relates to both concerns unless otherwise stated.
- 1.2 We aim to provide high quality affordable homes to meet the housing need in the areas where we own and manage properties.
- 1.3 We are committed to letting and selling our properties through an efficient and effective lettings and sales system which is fair and transparent, meets people's requirements, maximises choice and develops successful and sustainable estates and neighbourhoods. Neither mhs homes nor Heart of Medway will let or sell any accommodation to any person unless satisfied that letting or selling the property to that person would be in accordance with the relevant organisation's charitable objects and that the letting or sale would not place a conflict of interest on the organisation or person.
- 1.4 We also seek to ensure that any let that is made, is done so to a person who we believe (either with or without our help) will be able to sustain their tenancy.

## **2 Objectives**

- 2.1 This policy is supported by the annual lettings plan which provides more information about the properties we own and the numbers that are expected to be available for rent.

The key objectives of this policy are to;

- work closely with the relevant Local Authority assisting them to discharge their obligations
- let our properties to people in line with published eligibility criteria
- make the best use of our homes
- develop and maintain sustainable communities
- minimise void turn around times and rent loss
- provide a customer focused service that is fair and transparent
- ensure that any new tenancies granted are sustainable

## **3 Our approach to letting empty Properties**

- 3.1 We do not hold a direct housing register but work in partnership with Local Authorities through their Choice Based Lettings Scheme known as Kent Home Choice.
- 3.2 Our nominations agreement with Medway Council stipulates we shall provide them with 50% of void properties. New build stock is let at 100% for first lets. We have an aspiration to let new build properties to our existing customers and this will be addressed through Local Lettings Plans (LLPs) We will implement similar agreements with other Local Authorities as appropriate.
- 3.3 In practice, the figures above for void properties are far higher as we no longer maintain an internal transfer list.
- 3.4 Clarion Housing stock is re-let in line with the individual nominations agreement in place with the local authority.
- 3.5 Lettings will be considered for those with the highest priority who have bid on the property through Kent Home Choice. Priority is through a banding system which is determined by each Local Authority.
- 3.6 If approached direct by the Local Authority, we will on occasion allocate properties on a direct nomination basis, in exceptional circumstances such as fleeing domestic violence or at risk of homelessness / in temporary accommodation.
- 3.7 In addition, a small number of properties will not be provided to Kent Home Choice in order to allow direct nominations. These will be to organisations that help certain vulnerable client groups such

as those that have clients who require support for drug and alcohol addiction, or fleeing and receiving assistance with domestic violence, or any other exceptional reasons. In addition we reserve the right to let properties to existing tenants and to consider requests for direct housing lettings from any other third parties such as the police. Any such exceptions will be documented and agreed by the Assistant Director of Customer Services. The following will be taken into account:

- The circumstances are exceptional and / or urgent.
- That the proposed management transfer if not agreed would have a significant detrimental effect on the well being of the applicant(s).
- Whether alternative options are available such as re-housing in temporary accommodation until suitable permanent accommodation is available
- The allocation offers the best practical solution.

3.8 Where a direct letting is made we will make one reasonable and appropriate offer of accommodation suitable for the applicant's needs dependant on property type and size. If the offer is refused the applicant will be entitled to register with Kent Homechoice for a transfer but only within their current banding criteria. Exceptions to the one offer rule will be made in accordance with our Decant Policy, where decant occurs due to redevelopment.

3.9 If we have not successfully managed to secure a new applicant using Kent Homechoice after 2 rounds of advising we will look at other ways to fill the property, either through Rightmove or offering to the neighbouring local authority for direct nominations.

#### **4 Eligibility criteria for new tenants**

4.1 We want to ensure that our tenants are able to afford the new rent and other charges and that they will be able to sustain their tenancy. In order to test this we will carry out a number of checks prior to any letting taking place. We will do one or more of the following:

- Carry out a credit reference check and complete an affordability assessment to establish whether the rent can be afforded and if there are outstanding debts elsewhere
- Carry out reference checks with other housing providers
- Establish if there are any reason or the application not to be progressed based on the exclusions listed in 5 below

We reserve the right to not offer a tenancy, and we will explain our reasons for doing so, if this is the case.

4.2 The rent that is proposed for a newly let property will be set following reference to the Rents policy.

#### **5. Exclusions**

- 5.1 As part of our commitment to develop successful and sustainable estates and neighbourhoods, we will not normally offer a tenancy to an applicant (which could be an individual or family) if one or more of the following applies:
- Has outstanding debts owed to mhs homes or Heart of Medway, or another Housing Association or previous landlord, unless arrangements for the repayment of the debt are being honoured. For this purpose, a repayment arrangement will only be considered if the debt is under £500, that a repayment arrangements has been honoured for over 6 months and it can be demonstrated that repayment of the debt and the rent is affordable
  - It is demonstrated that their level of income is insufficient to pay the rent, alongside any other commitments. Their credit history and debts owed to others will be taken into account when coming to a view on the affordability or sustainability of the tenancy. We will consider if we can offer support to the prospective tenant before coming to a conclusion.
  - Has a history of Anti Social Behaviour, including Domestic Violence, Harassment or Hate Crime, which has led to, or would have led to, a Notice of Seeking Possession, or action being taken through the police and / or courts
  - Has support needs but the support has been refused by the applicant or the level of support required is currently not available.
  - Has support needs but has failed to provide a current Risk Assessment, where required
  - If an applicant owns or has a legal interest in a property or tenancy elsewhere.
  - Has provided false or misleading information on their application which otherwise would have prevented a tenancy being granted
  - Does not have valid immigration status or recourse to public funds.
  - In line with partnership working we may not enforce some of the above to allow housing a homeless person.
- 5.2 All prospective new tenants will be interviewed and the affordability of the rent will be checked prior to any offer being made to them. A new tenant will be expected to participate in a customer induction and pay a minimum of 2 weeks rent in advance, unless otherwise stated in the tenancy agreement. Any variation to this will need to be agreed by the Assistant Director of Customer Services
- 5.3 We will consider all cases on their individual circumstances to ensure that unfair discrimination does not occur. The decision to exclude an applicant will be proposed by the Lettings Manager and agreed and recorded by the Assistant Director of Customer Services, subject to evidence being provided.

## **6. Housing for Older Persons and Supported Housing**

- 6.1 We currently manage homes in purpose built schemes for older people (Sheltered accommodation). The age limit to be eligible for this type of housing is 60.
- 6.2 These age limits will be reviewed from time to time and could change.
- 6.3 A needs and risk assessment is conducted to determine a customer's housing, medical and support needs as well as personal and practical care needs, sensory impairments, nutrition and health. If the customer requires a greater level of support than can be provided, the Supported Living Advisor will write to the customer informing them that we will not be offering a tenancy and signposting to other support agencies. Any appeal is dealt with by the Supported Living Manager, and approved by the Assistant Director of Customer Services.
- 6.4 We will generally reserve bungalows for older persons or those who have accessibility issues and are most in need for such accommodation.

## **7. Transfers**

- 7.1 If an existing tenant of ours wishes to apply for another property, applicants will need to apply to the housing register with the Local Authority. The Local Authority will ask mhs homes to verify applicant & occupant details and provide approval to proceed with their application. An alternative route to a transfer could be a mutual exchange (see separate policy)
- 7.2 To be approved for a transfer, tenants must comply with all of the following, as set out in the conditions of Kent Home Choice;
  - Have lived in their present property for at least 12 months and hold an assured or protected tenancy agreement.
  - Have a clear rent account and no other outstanding debt to mhs homes or Heart of Medway, for example: rechargeable works, court costs etc.
  - Their property including garden if applicable, meets the standard identified in the Moving Home Standard
  - Have no breach of tenancy that has resulted in a NOSP / legal action over the last 12 months. Discretion can be applied dependant on the severity of the need to move and the length of time since the breach occurred.
- 7.3 Any applicant that meets the above criteria will be awarded transfer status with the Local Authority. This will enable them the opportunity to bid for properties allocated purely advertised for transfer. They will be able to bid for transfer properties with mhs homes or other social housing providers. For mhs / HoM

properties, unless it is agreed that the new tenancy can overlap with the existing tenancy, the tenancies with end and start on the same date, which can be any day agreed with the tenant.

## **8. Sex Offenders and Dangerous Offenders**

- 8.1 Any letting of accommodation to a known sex / dangerous offender will not be made, unless the Police in consultation with Social Services and the Probation Service have carried out a risk assessment of the offender.

## **9. Lord Kitchener Alms House Trust**

- 9.1 Lord Kitchener Arms House Trust properties managed by mhs homes are re-let via Rightmove and we will advertise the property there, with priority given to current or former servicemen and their families. The property will be offered to the applicant with the greatest housing need and will be identified with a local connection in line with the Local Authority housing criteria. The trust also offers a licence to occupy rather than a tenancy. Rent will be charged at the rate of the previous occupant so that all properties have the same rent in line with the agreement put in place when mhs homes became corporate trustees.

## **10. Local Housing Allowance**

- 10.1 Properties built or acquired by mhs homes since 1990 are treated as private landlord stock under existing Department of Working and Pensions guidance. This restricts the ability of under 35's to claim housing benefit and it is paid as if the person was sharing a room (and paid at that rate) even if the person is living in the property on their own. As such we will not to allocate properties to under 35's who would be unable to pay the full cost of their accommodation. This will be reviewed if legislation changes.

## **11. Private Rent**

- 11.1 There is a separate policy statement that sets out how Private Rent properties will be let, and is not discussed further in this policy.

## **12. Mutual Exchange**

- 12.1 There is a separate policy statement that sets out how Mutual Exchange will be dealt with and is not discussed further in this policy.

## **13. Garage Rentals**

13.1 There is a separate policy statement that sets out how garage rentals will be dealt with and is not discussed further in this policy.

**14. Housing mhs staff, board members or people they are closely connected to**

14.1 There is a separate policy on how to deal with any applications, nominations or referrals for housing received concerning a member of staff, a board member or person with whom they are closely connected (this includes family members, such as spouse or partner and close relatives, as well as close friends):

**15. Temporary Staff Lettings**

15.1 Temporary staff lettings are not permitted.

**16. Tenancy Agreements**

16.1 Types of tenancy agreements that are offered;

mhs homes	Trial Tenancy	New Customers to mhs homes
	Assured Tenancy	Existing mhs homes customer
	Protected Tenancy	To those living with mhs homes on a protected tenancy who are remaining in the same size property or downsizing .
Supported Living	Trial Tenancy	New Customers to mhs homes
	Assured Tenancy	Existing mhs customer
	Protected Tenancy	To those living with mhs homes on a protected tenancy who are remaining in the same size property or downsizing .
Heart of Medway (HoM)	Starter	New Customers to HoM
	Assured	Existing HoM customer
Lord Kitchener Alms House	Licence	Offer to anybody living in this accommodation.
Managed Properties	Clarion (was Affinity Sutton) Assured Shorthold Tenancy	Offer to anybody living in this accommodation.



16.2 Types of tenancy that customers are on, but are not offered. These are inherited tenancies when mhs homes purchased the buildings. These will reduce as properties re-let.

Town and Country		
Nottinghill		
Presentation		
High Weeld		

## 17. Property Sizes

17.1 We will offer a property within the following property size ranges:

Property Size	Household Size
Bedsit	Single person
1 bedroom	Single person or Couple
2 bedroom	1 or 2 adults with 1 child or more than 6 months pregnant  1 or 2 adults with 2 children of the same sex aged 18 or under  1 or 2 adults with children of opposite sex aged 10 or under
3 bedroom	1 or 2 adults with 2 children of the same sex when 1 is over 18  1 or 2 adults with 2 children of opposite sex when 1 is over 10  1 or 2 adults with 3 or 4 children if age and sex meets the criteria (see below)
4 bedroom	1 or 2 adults with 3 or more children depending on age and sex criteria (see below)
5 bedroom	1 or 2 adults with 4 or more children depending on age and sex criteria (see below)
Bryant Street Tower Blocks	Families with children under 14 years up to and including third floor level
Melville Court Tower Block	Families will be able to occupy a property on any floor level.
Bungalow	Bungalows will be offered to applicants over 55. In areas that are not predominantly elderly they will be offered

	to applicants with a proven medical need for this type of accommodations.
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The table is based on the following principles;

- Adults sharing accommodation full time but not living as a couple should have separate bedrooms
- Children of the same sex can share a bedroom until the age of 18
- Children of the opposite sex may share a bedroom until the age of 10
- No more than 2 children can share a bedroom regardless of age or sex

17.2 When an applicant has joint custody of a child(ren) we will only consider the child(ren) of the household where the parent or guardian has the principal care and control. This is identified as the person claiming Child Benefit.

17.3 Where an individual or member of a family has a disability we will try to ensure that the property meets their needs. Where a property has specialist adaptations and is let to non-disabled applicant adaptations such as flush floor showers will not be removed.

## **18. Foyer lettings**

18.1 Letting of spaces at the two Foyers is done in conjunction with Medway Council supported services. All prospective tenants will be interviewed before any offer is made. There is a separate policy statement that sets out how Foyers will be let, and is not discussed further in this policy.

## **19. Local Letting Plans**

19.1 Local Lettings Plans will be drawn up as required. Any Local Lettings Plans, approved by the relevant Local Authority, for new developments will be on first lettings only and will override the Nomination Agreement. On any subsequent lettings the conditions of the Nominations Agreement will apply.

19.2 In addition to new developments we will from time to time develop Local Lettings Plans for existing neighbourhoods. These arrangements varying our usual allocations policy and will aim to address very specific local / estate problems such as anti-social behaviour, high tenancy turn over rates, high void rates.

## **20. Monitoring**

- 20.1 Regular monitoring and reviews will take place to ensure that we are letting and managing our homes in line with this policy. This will include analysis and learning from any complaints / appeals received. The policy and its application will be audited periodically.
- 20.2 We participate fully in CORE the housing sectors continuous recording system for monitoring all lettings including ethnicity, disability, gender and age.
- 20.3 Performance Indicators are reported on a monthly basis to the Leadership Team as well as quarterly to the Board. The lettings performance is shared annually with Medway Council.

## **Equality Statement**

mhs homes wants to make sure that no person receives less favourable treatment from the organisation on the grounds of age, disability, gender reassignment, marriage, civil partnership, pregnancy, religion or belief, race, sex or sexual orientation.