



ALLOCATIONS AND LETTINGS POLICY

FEBRUARY 2023

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1. INTRODUCTION

- 1.1 Network Homes is a registered provider of social housing in England managing homes across 36 local authorities. It owns and manages a range of general needs stock, sheltered schemes, temporary accommodation, and private sector units.
- 1.2 SW9 Community Housing (SW9 CH) are a managing agent who manage approximately 1800 homes on behalf of Network Homes, with approximately 1000 being social housing.
- 1.3 SW9 CH are committed to letting our homes in a fair and transparent way and have a duty to assist the local authority, Lambeth Council ('Lambeth'), in the fulfilment of their legislative requirements so we can provide housing for those in the greatest need.
- 1.4 Our ability to offer empty homes to Lambeth is limited by the number of voids we have, the size, type, and location of these properties.
- 1.5 With a national shortage of homes available for social rent and with more people on local authority housing registers, there is gap in the number of homes available for those in need and those available.

2. STRATEGIC FRAMEWORK

Statement

- 2.1 Whilst we do not have a letting strategy, we have developed this detailed policy and a set of supporting procedures to manage our allocations and lettings service. In addition, we have a nomination agreement in place with Lambeth Council.

3. ALLOCATIONS & LETTINGS POLICY

- 3.1 This document explains how SW9 CH allocates and lets its properties. The overall aim of the Allocations & Lettings policy is to ensure fairness, transparency, and regulatory compliance in all key areas of allocations and lettings. SW9 CH is constrained in various ways by:
 - (a) The type of tenancy agreements it can issue which are governed by the rent regime of the unit.
 - (b) The need to allocate its properties in line with the local authority nomination agreement.
 - (c) The need to maximise the use of its stock.
 - (d) The need to give choice.
- 3.2 The priority is to work in partnership with the Lambeth to meet local housing need, provide choice and create sustainable communities. SW9 CH allocates properties through the following routes:
 - Local authority arrangements
 - Direct offers for those tenants wishing to downsize or move into Older Persons accommodation

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- Management transfers

3.3 The Neighborhood Team records all allocations through our housing management system and on CORE. CORE is an essential tool which the Government requires us to update each time we complete a new let.

3.4 Where any matter is to be considered by the Management Panel or other determining person named in this policy, the test is to be that of an objective one, on the balance of probabilities, i.e., is it more likely than not that a reasonable person would consider the matter to be as stated.

3.5 **General Needs**

We offer general needs housing to families, couples and single persons who need a place to live and who are normally nominated to our homes through the Local Authority.

3.6 We maximise the use of available occupation by full occupation from the start of the tenancy. The Household need is assessed, and a suitable property allocated which meets the minimum bedroom standard. Each bedroom is counted even if it is being used for another purpose and meets the Department of Work and Pensions (DWP) guidelines.

3.6.1 Each general needs applicant will be entitled to a bedroom for:

- Each adult couple
- Any other person aged 16 or over including a carer if they are deemed part of the permanent household
- Two children of the same sex under the age of 16
- Two children under the age of 10 regardless of their sex
- Older person’s units are sometimes harder to let; exceptions may be made at management discretion.

3.7 **Exclusions:** SW9 CH may exclude an applicant from being considered for housing in the following circumstances:

(a) Where there is evidence of the following in the previous 2 years:

- A serious breach of the tenancy, this is where successful court action has been taken. This could include action relating to non-payment of rent and antisocial behaviour.
- A criminal record relating to violence, sexual offences, including child offences, or harassment
- Eviction by another landlord

(b) A Housing and Support Needs Assessment is normally completed by the Lambeth or by us if the prospective resident is being considered for Older Persons accommodation. The purpose of the assessment is to identify a prospective resident’s support needs and enables us to decide whether we can meet those needs. Where the applicant is not suitable, we will update the applicant and/or Lambeth.

(c) Not a habitual resident in the UK for the past 6 months.

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(d) Does not have the Right to Rent (Please see 3.8)

(e) Insufficient income to cover rent and service charge payments, including any non- dependent charges, this is applied to intermediate rent applicants only.

(f) Where there are outstanding arrears, either current or former tenant, or other relevant housing debts. These debts can be either relating to SW9/Network Homes or a previous landlord. Where the nominee has not entered and maintained a satisfactory repayment agreement over a period of at least six months or there is no consumer credit agreement in place.

3.8 Right to Rent

The applicant must not be exempt from holding a tenancy due to their immigration status. This means they should have the leave to remain, whether this is time limited or indefinite leave to remain.

Where Lambeth nominates a tenant/s to us then they will have completed a right to rent check and assessed their entitlement to housing.

In addition, with a nomination, we will check the immigration status for all household members who are 18 years old or over as this is not completed by Lambeth.

We have a Right to Rent Procedure which enables us to complete right to rent checks.

3.9 Local Authority Arrangements

3.9.1 Nominations

SW9 CH works in partnership with Lambeth to offer its properties to nominees from their housing register. The % of properties offered is managed by the nomination agreement with Lambeth. Please see table below:

Stock type	New Lets	TA	Relets – 1 bed	Relets – Family homes	Special arrangements
General needs/sheltered /extra care	Yes, 100% with flexibility	100%	50%	75%	LMO Regeneration programme until 2020 some local flexibility being permitted

3.9.2 SW9 CH will request personal household information from the local authority to enable a sensitive and appropriate allocation; only information that is necessary for SW9 CH to make this determination will be requested and processed. On new build schemes, SW9 CH will aim to secure nominations of mixed income to assist with the building of sustainable communities.

Lambeth is responsible for verifying the applicant's details. This will include:

- Proof of applicant and household details
- Proof of eligibility for housing, including the right to rent
- Employment status
- Any care or support needs
- Previous tenancy details, including details of rent arrears, anti-social behaviour, violence or criminal behaviour.

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- A Right to Rent Check for the prospective tenant/s

3.9.3 Choice based lettings

A Choice Based Lettings (CBL) scheme allows an applicant to search for, apply for and bid for social rented properties within a Local Authority area. Housing Associations advertise their empty properties through the CBL scheme.

3.10 Sensitive Lettings

Occasionally a property becomes available for letting where we decide it should be let 'sensitively' because of circumstances that relate to the property, for example, there have been previous management issues, meaning there will be restrictions on who can move into the property. A sensitive let may be considered when letting a property if a community has been subject to serious and/or prolonged anti-social behaviour. This also ties in with section 3.7 (a) of the policy relating to exclusions.

Each sensitive let will be dependent on the situation at the time, but we will use some common criteria in most situations. This means that some people will not be offered a particular property because of the risk posed that indicates such an offer would run a high and unacceptable risk of the new tenancy failing.

A prospective tenancy will be deemed as having a high risk of failure where:

- The prospective tenant or household member has a history of anti-social behaviour or nuisance within the last 2 years.
- The incoming tenant must have not been convicted of a criminal offence which may reasonably be considered relevant to their housing within the last 2 years and no unspent criminal convictions
- Drug or alcohol dependency (within the last 3 years) or
- On the sex offender register - Once someone has been successfully prosecuted for a sexual offence they go onto this register. The time they spend on the register relates to the severity of the crime they have committed.

Once the time they must spend on the register has passed and, provided there have been no further offences, then their crime is considered spent and we would house a sex offender without location limitations.

Whilst someone is on the sex offender list, we would carefully consider what property we offer them to manage any potential risks and any allocations would be approved by the NH Director of Housing. The reasons for the decision would be recorded and would be available to the resident it relates to. The resident can request, and such disclosure will be provided, if its compliant with the Data Protection Act 2018 and SW9 CH policies. For example, it might mean we wouldn't offer a property within 600m of a school if the prospective nominee's offences related to children.

In instances where the incoming tenant or a household member is assessed as having support needs, SW9 CH must be satisfied that the resident and/or household member has a suitable support package from specialist professionals that will enable tenancy sustainment for them to be awarded the letting e.g., include mental health or social care professionals.

3.11 Internal Transfers

This is where an SW9 CH resident moves directly into another SW9 managed

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property through a direct let from SW9 CH.

SW9 CH operates the following waiting lists across its service.

(a) Transfers - from April 2022 our Transfer lists were removed. We will only offer new internal transfers in the following circumstances:

- General needs residents wishing to downsize (sometimes known as under occupancy). The resulting property is offered to the relevant local authority. Downsizing is where a resident has at least one spare bedroom and wishes to move to a smaller “right size” property. To support residents who wish to downsize the resident may be eligible for our downsizing (under occupancy) package:
 - A £1,000 payment for moving to a new smaller home
 - An extra payment of £500 for every additional room that’s spare
 - Support finding an SW9 CH property
 - All moving costs covered
 - Free carpets, curtains and decorating vouchers in their new home
 - Should the rent on the property the resident is downsizing to have a larger rent, they will not be charged the increased rent. They will continue to pay the same rent level as their previous address.
- An older person who wishes to move into our older persons accommodation scheme. More information on this scheme can be found under section 3.22. The resulting empty property is offered back to Lambeth.

(b) A Management Transfer is offered only in exceptional and agreed circumstances and examples of the reasons for a management transfer are detailed in table 3.13, again the resulting empty property will be offered to Lambeth.

(c) Decants: See table in Section 3.13 and Section 3.24

All transfer applications, irrespective of how long they have been on the list will receive 1 direct offer before being removed from the transfer list.

3.12 Under Occupancy, Older Persons, and Management Transfers

Tenants wishing to transfer are subject to an assessment process. Only those tenants looking to downsize, needing to decant, or to move to older persons or requiring a management transfer will be eligible for a transfer.

New Management Transfer Applicants who refuse 1 reasonable direct offer, (an explanation of what a reasonable offer is covered under 3.15.3), will be removed from the list. We will ensure this one offer rule is explained clearly to the tenant during the process.

A weekly review of the transfer list will be completed by the Neighbourhood Team. The purpose of the review is to match void properties to transfer applicants based on housing need.

The Management Transfer Panel will note the progress made in arranging management transfers for those new to the list post April 01st 2022 and those on the list on 31 March 2022 on a monthly basis to ensure that, in accordance with our

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Management Transfer Terms of Reference management transfers are being appropriately referred for consideration and to ensure that applicants are being removed from the list when they have refused 1 direct offer.

3.13 Reasons for internal transfers are summarised in the table below.

Reason	Activity Covered
Older person wishing to move from general needs property to one of our older persons accommodation schemes	Where a resident wishes to move to an older person's scheme and is 60 years or older, we can arrange for them to move to one of our Older Persons Schemes Please see 3.22
Management Transfer	A Management Transfer occurs very rarely and is where the resident needs to move due an exceptional circumstance.
	<p>Qualifying agreed circumstances are:</p> <ul style="list-style-type: none"> • There is a severe or immediate risk to life or personal safety of a SW9 CH resident because of domestic abuse, harassment, hate crime, safeguarding issues or victim of a serious crime. • A threat is where the applicant can demonstrate that the perpetrators have been physically engaged in actions aimed at causing personal injury to either the applicant or other persons within the household of the applicant. This can include physical damage to their property or belongings. In deciding if the threat is credible, the Panel will consider any current or previous actions or patterns of behaviour displayed by the perpetrator and this will be an objective test, i.e. would a reasonable person consider the threat to be real • SW9 CH will consider each case and review pass void trends to determine how likely it will be that we will be in a position to make a reasonable offer of rehousing within next 6 months. This is because we have a limited supply of homes and may not be able to meet an applicant's location and property size needs. When this happens, we will liaise with the local authority housing team, the social services department and the Police and if they are unable to assist then we will deny the request and ask the applicant to contact their local authority to seek Emergency Accommodation. • There has been long running cases of Antisocial Behaviour (ASN) where despite management action by SW9 CH, this has not resolved the problem.

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Reason	Activity Covered
	<ul style="list-style-type: none"> • A senior officer from Lambeth is making an over-riding request to SW9 CH to move a resident. • Resident in an Older Persons home wanting to different scheme due to their concerns about their personal safety from remaining in the area. • We will follow the Safeguarding Policy and Procedure when considering a Management Transfer Application. • SW9 CH will approve a management transfer to a larger size property than the resident currently occupies, where the resident meets the management transfer qualifying criteria and is statutorily overcrowded. <p>If the tenant is not statutorily overcrowded, then SW9 CH will offer a tenant who meets the qualifying criteria the same bedroom sized property to the one they currently occupy.</p> <p>Further information on our Management Transfer process is contained in Section 3.15 of this policy and we have a separate Applications Procedure.</p>
Decants	SW9 CH tenants who have to leave their homes to enable the organisation to carry out required major repair, improvement or redevelopment work, or because the property is to be demolished or sold. The home may also be uninhabitable because of fire, flood or structural damage. Otherwise, the Panel may give consideration to a permanent decant. See 3.24 for further information on how these matters will be managed/determined
Under occupation	See 3.11 and 3.14 If the household has one/more bedroom(s) surplus to their requirements.
Adapted Properties	Where significant adaptations have been made to a property and alternative referral sources or applicants are more appropriate, consideration will be given to bypassing choice based letting schemes. If, we are not able to locate a disabled or support need applicant, then we will let the property to another applicant in need of the property. More information is available in Section 3.23

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3.14 Tackling Overcrowding and Under occupation

It is important that SW9 CH manages its stock effectively to improve the life chances of potential and existing residents. Measures to ensure effective tackling of under occupation and overcrowding are employed as follows:

- Let all properties appropriately to ensure the best use of stock.
- Never knowingly allow a letting where overcrowding or under occupation would occur from the beginning of the tenancy unless exceptional circumstances apply, and the Panel have determined that there is no other option available to mitigate the immediate risks posed.
- Work in partnership with Lambeth to minimise and alleviate under occupation or overcrowding within the area.
- Prioritise under occupation transfers appropriately.
- Promote mutual exchanges.
- Promote our Downsizing (otherwise known as Under Occupation package). More details can be found in Section 3.11.

3.15 Management Transfer

For more information, please see information in sections 3.13 and this section (3.15)

If an application is approved by the Panel, then a suitable reasonable property will be identified, and a direct offer may be made.

3.15.1 The following principles apply in the determination of a Management Transfer Application:

- SW9 CH will approve a management transfer to a larger size property than the resident currently occupies, where the resident meets the management transfer qualifying criteria, please see Section 3.13, and is statutorily overcrowded.
- If the tenant is not statutorily overcrowded, then SW9 CH will offer a tenant who meets the qualifying criteria the same bedroom sized property to the one they currently occupy.
- SW9 CH will only rehouse the household members named on the tenancy.
- Area consideration will be factored in if there is a likelihood of the perpetrator finding the survivor.
- Where there is a real and immediate threat and SW9 CH does not have a property available we will work with Lambeth to find suitable alternative accommodation.
- Applicants will receive 1 reasonable direct offer only if they are not actively bidding with Lambeth.
- Both panels will write to the resident, communicating the reasons for their decision as per our Applications Procedure.
- The resident can supply written information relating to their application to the Management Transfer Panel but as Panel meetings are closed meetings, third parties are not able to attend either virtually or in person. Applicants will be given notice of the Panel and opportunity to submit evidence

3.15.2 Making The Application:

- If a resident needs to move because of one of the reasons detailed as specified above, then the Management Transfer Panel/Safeguarding Panel will decide who is accepted for a management transfer in accordance with the Applications Procedure for Transfers and Management Transfer. Panel members include senior staff

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members from SLT, a Finance Team Member and a Board/Committee member.

- Where a concern is raised about someone’s safety, then the Neighbourhood Officer should follow the safeguarding procedure. The safeguarding case should be completed, and paperwork should be submitted to the Management Transfer Panel for review and a decision. Supporting evidence may be needed from the police, social services etc., who may suggest areas where they shouldn’t be rehoused, for example within the area where they currently live.

3.15.3 Approval of the management transfer:

- Before determining whether a management transfer can be approved, we will review their property requirements against voids of the same property type over the past 6 months. If, because of this analysis, we do not believe a property meeting their needs will become available over the next 6 months, then we will not add them to our management transfer list, as it’s unlikely we will be able to meet their immediate need. Instead, we will signpost them to Lambeth for Emergency Accommodation.
 - SW9 CH will approve a management transfer to a larger size property than the resident currently occupies, where the resident meets the management transfer qualifying criteria and is statutorily overcrowded. Our qualifying criteria is contained in Section 3.13
 - If the tenant is not statutorily overcrowded, then SW9 CH will offer a tenant who meets the qualifying criteria the same bedroom sized property to the one they currently occupy.
 - If the management transfer application is approved, the resident will be added to the management transfer list. This list is managed by the Neighbourhood Team. As soon as a suitable property becomes available then the Neighbourhood Team will make 1 direct reasonable offer. The direct offer will be authorised by the Head of Housing and Estate Services, and a Network Homes Director. A reasonable offer will take account of a property based on the size of the household where there is statutory overcrowding, and taking account of any vulnerabilities, medical needs, and Police advice regarding location. This will be explained in the Management Transfers Panel letter which is sent when a management transfer is approved.
 - If they refuse, then they will be removed from the list and signposted to Lambeth for an emergency move. We will ensure this offer rule is explained clearly to the tenant during the process.

Both panels can ask for additional information to decide on a management transfer.

3.15.4 Declining a Management Transfer Application

If the Panel decides not to accept the management transfer application:

- The panel will have to give a reason/s for their decision, and they’ll let the resident applicant know why in writing. If circumstances change the applicant can re-apply. The reasons why we may accept a resident onto our management transfer list are detailed in Table 3.13.
- Where we refuse a management transfer then the resident may be asked to contact Lambeth for support.
- There is no formal appeal process. The applicant can use our Complaints Policy and Procedure if they disagree with our decision, or the reasons given for the decision. This is explained in both our Applications Procedure for Transfers and Management

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Transfer and our standard letters sent to notify applicants of the Panel findings.

Where there is resulting litigation arising from the Panel decision, then any member of the Management Transfer Panel may be required to give evidence in support of the Panel's decision and if deemed necessary by SW9 CH, attend the court hearing to provide further evidence. Further details of how Management Transfers are managed are contained in our Applications Procedure for Transfers and Management Transfers.

3.16 Older Person Waiting List

SW9 CH receives a percentage of its referrals to older person units via the local authority. SW9 CH also operates a waiting list. Specialist agencies will nominate to the list.

Please see section 3.22 for further information on our older persons schemes.

3.17 Making an offer to a new transfer, older persons or management transfer

When a pre void property becomes available at the Weekly Voids meeting, the suitability of the property will be compared against applicants on the list, in the following running order:

- 1 Management Transfer waiting list reviewed first, if the property does not meet their needs, then go to point 2.
- 2 New transfer and older persons list is reviewed. If there is no one suitable then the property is advertised through Lambeth and/or Choice Based Lettings.

If there is no one suitable then the property is advertised through Lambeth. The decision on who the property is to be offered to will be made by the Head of Housing and Estate Services or their line manager should they not be available. In the case of a Management Transfer the decision should be approved by the Head of Housing and Estate Services and a Network Homes Director.

3.18 Older Persons Schemes

The below criteria must be adhered to in considering any older person's application for transfer.

Type	Eligibility	Exclusion Reasons
Older Persons	<ul style="list-style-type: none"> • Aged 60 and over, or • Aged 55 and over with a medical or housing related support need resulting in their eligibility for DLA/PIP benefits. <p>and</p>	<p>Subject to a detailed risk assessment, the prospective tenant or household member has:</p> <ul style="list-style-type: none"> • A history of rent arrears • a history of anti-social behaviour or nuisance within the last 3 years;

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Type	Eligibility	Exclusion Reasons
	<ul style="list-style-type: none"> • In need of and able to benefit from what the scheme offers in terms of physical facilities, location, nature of the living arrangements and support service available <p>and</p> <ul style="list-style-type: none"> • Able to undertake basic life skills without supervision <p>and</p> <ul style="list-style-type: none"> • Nominated by Lambeth or • Referred from the Approved Waiting List 	<ul style="list-style-type: none"> • been convicted of a criminal offence which may reasonably be considered to be relevant to their housing within the last 24 months and no unspent criminal convictions • Drug or alcohol dependency (within the last 2 years) • On the sex offender register - this would only be considered where the property location gave rise to a potential risk, for example within 600m of a school where the offence relates to children. • A proven / evidenced information. This can include police evidence, action, or other evidence, which is recent. Recent means within the last 2 years with a history of aggression, violence or threatened violence where this may represent a risk to other tenants, staff or neighbours. This will be assessed by the Scheme Manager who is considering the application. A history of premeditated arson or regular arson attempts where this may represent a risk to other tenants, staff of neighbours • Support needs over and above that provided by relevant agencies for this scheme • People with pets (unless they have signed an agreement) • Concerns over the negative findings from an Affordability check <p>Where the applicant is dissatisfied with our service or with our decision then they can make a complaint by using our Complaints Policy.</p>
Extra Care	<p>As above plus the nomination comes from Adult Social Care and they are subject to the standards set by their Panel which is 14 hours of care required. This can vary.</p> <p>An affordability check is completed, and the findings used to identify what support the new resident will require</p>	<p>As above and do not need the care package.</p>

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3.19 Adapted properties

Properties which have been specially adapted for use by those with disabilities will wherever possible be re-cycled to a tenant with a disability or a support need to ensure best use of stock.

Adverts via choice-based lettings schemes and nomination requests to Lambeth will clearly stipulate that priority will be given to applicants with relevant disabilities. However, if after advertising either by external or internal choice-based lettings the property remains unlet, the property will be made available to other referral sources or applicants.

Where significant adaptations have been made to a property and alternative referral sources or applicants are more appropriate, the Neighbourhood Team will consider bypassing choice based letting schemes. If, we are not able to locate a disabled or support need applicant, then we will let the property to another applicant in need of the property.

3.20 Decants

There are occasions when a tenant may have to be relocated from their homes during major works or redevelopment. Reasons include:

- (a) Major repairs or improvements that cannot be carried out with the tenant in occupation
- (b) Modernisation programmes.
- (c) Sale or demolition
- (d) Emergency (e.g., fire, flood) rendering the property uninhabitable
- (e) Long lease end

3.20.1 There are two types of decant with further information in the table below.

Type	Description
Permanent	<p><i>The household moves permanently and is rehoused. A transfer application will be processed, and the highest priority given. The applicant can then bid or be given a direct offer from SW9 CH managed stock or with arrangement with another social landlord.</i></p> <p>Key issues:</p> <ul style="list-style-type: none">• The offer is a like-for-like move which or we can offer a property appropriate to their needs, which meets the tenant's expressed preferences for area and type of property. Where the household is overcrowded, we will work with the household to find a property which meets the current size of their household

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	<ul style="list-style-type: none"> • Where two decants bid for the same permanent decant property, priority will usually be given to the one who has had the longest tenancy unless there are extenuating circumstances, or the property is adapted and following professional advice one household need meets the provision better than the other. • If the property belongs to another landlord, SW9 CH will advise the tenant on any tenancy rights implications. • Permanent decants are eligible for a one-off home loss payment and disturbance costs.
Temporary	<p><i>The household moves out temporarily whilst the work is done. On completion they return to their home. They remain a tenant in their current home and pay the rent as normal. A void property will be identified within Network Homes stock or with arrangement with another social landlord. If the move is only up to one month a cash incentive may be offered to stay with friends/relatives, in hotel accommodation or respite care. Cost effectiveness and needs of the tenant will be considered.</i></p> <p>Key issues:</p> <ul style="list-style-type: none"> • The tenant's furniture and belongings may be left in the permanent home but if this is not practical it will either be moved to the temporary home or stored by prior agreement. • Accommodation may not be an exact match to the tenant's current property, but consideration will be given to accessibility, no of bedrooms and location and current household size. • Temporary decants are eligible for disturbance costs each time they move. • If they request to remain in their temporary home this will be considered on a case-by-case basis. If granted it will be treated as a permanent decant however no home loss payment will be granted as their original home was made available for return. • We have a decant procedure which covers the detailed process and how to manage refusals to move out of their home or refusals to return to their home.

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3.20.2 Supporting the decanting Tenant

SW9 CH understands the need to move can cause disruption and anxiety. It is committed to ensuring that this process runs as smoothly and sympathetically as possible. Tenants are prepared at length to assist this process. Financial and practical assistance will be offered, and a support package agreed in advance where appropriate.

The resident can challenge our decision, or the reasons given for our decision in relation to any support package by using our Complaints Policy and Procedure.

3.21 Homeless and Disturbance Payments

- (a) Homeless payments are governed by the Land Compensation Act 1973 and the amount payable is fixed by statute. The payments are intended to compensate for the upheaval and personal upset involved in an involuntary move. Money owed to SW9 CH will be deducted from the payment.
- (b) Disturbance payments will be made to meet any reasonable moving expenses. These will be agreed in advance and either SW9 CH contractors used, or the tenant paid direct on the production of receipts.

3.22 Void Management

SW9 CH has an obligation to ensure that empty properties are identified, repaired to the agreed lettable standard, and re-let as soon as possible to those with housing needs with minimal void rent loss and security and repair costs.

The key stages of the void management process are:

- Void notification (provisional void date)
- Tenancy end (key return and actual void date)
- Void inspection (pre-void if possible)
- Identifying re-charges and other tenant responsibilities.
- Void works and post inspection
- Allocating, need & risk assessment, completing affordability check with a view to offering support, making an offer, and viewing properties
- Ensuring any Right to rent/Right to remain checks are completed
- Creating tenancies and signing-up new tenants

3.23 Definitions and Targets

Void management is driven by a set of definitions and targets as summarised in the table below:

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	Description
Void Type	True or non-true depending on whether the tenant has moved out completely or transferred to another SW9 CH property.
Void Reason	These are recorded and assist with routing the void along the correct void path and define the void type.
Void Classification	This defines the work type. Minor, major, under management, or decant void.
Void Target	Each void classification will have a void target which is the expected time in days, it will be vacant.
Void Stage Targets	The void path is comprised of a set of key stages each with a prescribed time for completion. This ensures the void target is met overall.
Letting Type	First Let, Relet, Hand, Temporary Decant, Demolished and Sold.
Letting Source	Where the incoming tenant came from.

3.24 Letting Standard

All voids must be let to the standard for that type of property. The Letting Standard is detailed in the Void Procedure.

3.25 Incentives

- a) Decoration Service: This may be for done vulnerable tenants or those with mobility issues.
- b) Decorations packs: may be given for properties in need of decoration. In exceptional cases, including tenant vulnerability then the property may be decorated by SW9 CH.
- c) Rent Dispensations; where the tenant has been inconvenienced and has experienced delays in moving in, for example issues relating to gas or electricity. Management may show discretions around reduced rent periods by way of compensation, the Neighbourhood Team will work with the Income Collection Team to agree the dispensation. The tenancy start date should not be changed.

3.26 Tenure Type

Type	Description
Secure	Introduced by Housing Act 1980 and subsequently consolidated in 1985. Housing Associations created before 1989 were allowed to issue secure tenancies similar to local authorities. Rents are subject to fair rent registration. SW9 CH can no longer issue Secure Tenancies to new tenants. It can only preserve an existing secure tenancy status via transfer, succession, and assignment.

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Assured	Introduced by Housing Act 1988 and issued by all Housing Associations created after 1989. These are lifetime tenancies but with similarities to the private sector tenancies allowing landlords greater flexibility around possession through contractual rights rather than statute. Granted in all target rented properties where a lifetime tenancy is pertinent.
Assured Shorthold	Known as an AST they were introduced by the 1988 Housing Act. Minimum term is 6 months which is protected. They can
Licence	These are issued for garages, garage plots and parking spaces.
Agreement for Tenancy	Prospective tenants under the age of 18 will be offered an 'agreement for tenancy' to grant a tenancy to the minor following their eighteenth birthday. A guarantor over the age of 18 who is not a representative of the landlord will be required – usually a family member or a social services representative.

3.27 **Joint and Sole tenancies**

Tenancies will be issued in the name of the nominee(s) and transferee(s). If they are joint the tenancy will be joint and if they are sole the tenancy will be sole. We have an Assignments and Successions Procedure which manages this process.

3.28 **Affordable Rent**

Where a property has previously been let at affordable rent, it should be relet at affordable rent. However, where a property has been advertised and we have received no nominees then we can exempt the property from the affordable rent charge and offer a social rent charge. To make this change a director will have to sign off to exempt the property from conversion to an affordable rent. Priority can be given where an assured tenant is transferring to an affordable rented unit to preserve their rights.

3.29 **Sustaining Tenancies**

SW9 will manage all tenancies as if they are social rented tenancies in accordance with the terms of their agreement and in line with their processes on tenancy management and income recovery.

3.30 **Tenancy Fraud**

All tenancies may be subjected to a tenancy audit from time to time. This to verify the people living in the property are in accordance with SW9 CH's tenancy records. Remedial action will be taken as necessary including possession if required.

3.31 **Assignments & Successions**

A tenancy must exist in law for a change request to be reviewed. Secure and Assured

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Tenancies have the right to assign and succeed in statute.

Each Assignment and Succession can only complete if the resident has the right to rent. Further details can be found in our Right to Rent Procedure and our Assignments Procedure.

If an applicant is unhappy with the decision we have made about an Assignment or Succession, then they can challenge our decision using our Complaints Policy and Procedure.

3.31.1 It is important that SW9 CH maintains meticulous records in all the cases, and we have an Assignments and Successions Procedure to support the process.

3.31.2 We have more information on the different types of assignments summarised in the table below.

Type	Description
Assignment by Mutual Exchange	<p>We support customers to mutual exchange by:</p> <ol style="list-style-type: none"> 1 Providing access to Homeswapper which is an internet- based mutual exchange service, this can help to match tenants to suitable properties. This service is advertised on our website. 2 Our Neighbourhood Team offer help and support for those tenants who do not have access to the internet. <p>Where the tenant wishes to exchange their property with that of another social landlord this is called an Assignment by Mutual Exchange. Permission cannot be withheld unreasonably, but law does allow for a set of conditions:</p> <ol style="list-style-type: none"> (a) The landlord must inform their tenant of their decision within 42 days of receipt of an application. (b) The property has not been funded for special use and exempt from exchanges. (c) The incoming tenant must comply with the landlord's allocation policy on household size. (d) The incoming tenant must have the right to rent (e) The outgoing tenant must have a clear rent account. (f) The outgoing tenant has not damaged the property to the extent where an insurance claim has been made. (g) Alterations and improvements made by the outgoing tenant become the responsibility of the incoming tenant.

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Type	Description
	<p>(h) The property is inspected and certified for gas and electricity.</p> <p>(i) The landlord suffers no financial loss either through rent, void, or repair.</p> <p>(j) The incoming tenant has the same right to report repairs, like other tenants from the day of assignment.</p> <p>(k) The exchange takes effect by Deed of Assignment no less than 4 weeks once permission has been given in accordance with the notice period of the tenancy agreement.</p> <p>(l) The tenant must not be under a Notice.</p> <p>(m) The property is not deemed a sheltered or older person's unit and the incoming tenant does not meet the need of such property.</p> <p>(n) The property has not been adapted and the incoming tenant does not meet the need of such property.</p>
Judicial Assignment	Where a Court Order is obtained transferring the tenancy this is a Judicial Assignment. If the transfer is due to divorce proceedings a deed of assignment supplied by the remaining party's solicitor is required in addition to the court order.
Assignment to a Potential Successor	If a tenant wishes to pass their tenancy onto someone while they are alive this is called a living succession or assignment to a potential successor. The same statutory requirements must be met as if the tenant had died. SW9 CH is obliged to provide the tenant with their change of rights should they assign their tenancy. A deed of assignment must be signed.
Succession	<p>Where someone wishes to inherit the tenancy because the tenant has died this is a succession. No new tenancy is issued they inherit the existing tenancy which includes arrears and notices. (Credits must be passed to the dead tenant's estate).</p> <p>Except for a husband, wife, civil partner or joint tenant, there will be a requirement that all other potential successors to have been living with the deceased at the property, as their main residence, for at least 12 months prior to their death.</p>

Sole to Joint	SW9 CH does not permit a sole tenancy to become a joint one. This is to prevent the creation of a new tenancy with further succession rights. A tenant may add a partner to their household.
Joint to Sole	Where someone wishes to delete someone from their tenancy i.e., joint to sole. There are legal implications here and the landlord cannot be seen to collude in a breach of rights. Therefore, one of the following are required: <ol style="list-style-type: none"> 1. The exiting tenant assigns the tenancy to the other joint tenant. 2. A court order is obtained, and this becomes a judicial assignment. 3. A NTQ is served ending the tenancy and a new tenancy is issued to the remaining party. This confers new succession rights but may be an option in cases of Domestic Abuse where the survivor wishes to remain at the property. Issuing a new tenancy is at the discretion of the landlord.

3.32 Secure Tenancy Statutory Rights

- The legal right is contained in Section 87-90 of the Housing Act 1985.
- There is only one statutory right to succeed to a tenancy.
- If the deceased was a joint tenant, the tenancy will automatically vest in the surviving joint tenant and counts as one statutory succession.
- Family members who are entitled to succeed are listed in s113 of the Housing Act 1985. They must prove they lived with the deceased during the 12 months immediately before their death.
 - (i) A spouse living with the deceased tenant at the time of death has an overriding priority above all other family members. They do not have to show how long they lived at the property.
 - (ii) A spouse separated or divorced from the deceased tenant may only succeed if so ordered by the court during matrimonial proceedings.
 - (iii) Other family members who can succeed are:
 - parent or grandparent
 - child or grandchild (over 18)
 - or uncle
 - brother/sister
 - nephew or niece (not cousins)
 - cohabitees (those living together as man and wife)
 - (iv) Where there is more than one spouse living with the tenant at the time of death, they should agree amongst themselves who will succeed to the tenancy. The courts must decide if they cannot agree.
 - (v) If there is no spouse and there is more than one qualifying family member, they should decide amongst themselves who will formally succeed. They are not entitled a joint tenancy. The landlord may determine who should succeed to the tenancy if the family members are unable to do so.

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3.33 Assured Tenants Statutory Rights

- The legal right for Assured tenants is contained in Section 17 of the Housing Act 1988 (As Amended).
- There is reference to Succession in the Tenancy Agreement.
- There is only one right to statutory succession.
- If the deceased was a joint tenant, the tenancy automatically vests in the surviving joint tenant and will count as one succession.
- A spouse occupying the property, as his/her main or principal home, immediately before the death of a sole tenant, will automatically succeed to the tenancy.
- A cohabitee living with the deceased tenant at the time of death will be treated as a spouse and automatically succeed to the tenancy without having to prove additional length of residency.
- If there is more than one person living with the tenant at the time of death, they should decide between themselves who will succeed. The courts must decide if they are unable to agree.
- The tenant is entitled to pass the tenancy on in their will. If no will is made, it will go to the next of kin in accordance with the legal provisions.

3.34 Discretionary Rights

- SW9 CH confers the same rights to assured tenants as it does secure tenants in line with the tenant's charter.
- SW9 CH confers the same rights to same sex partners and cohabitees as it does to married couples in secure and assured tenancies provided they meet the criteria.
- Where a licensee, AST or fixed term tenant dies statutory succession rights will be preserved for the remainder of the term provided they meet the criteria. There is however no right of assignment.

3.35 Succession & Under occupation

Where the tenancy is Secure and the accommodation is larger than is reasonably required by a successor who did not previously hold the tenancy, the landlord can seek possession of the property under Schedule 2 of the 1985 Housing Act. The landlord must give the tenant notice seeking possession no earlier than six months, and no later than twelve months, after the tenant's death. The court may only order possession if suitable alternative accommodation is available for the tenant and it is reasonable to require him or her to give up the property. Relevant factors are:

- The successor's age
- The period for which the successor lived in the property as their only or principal home
- Any financial or other support the successor gave to their predecessor.

Ground 9 Housing Act 1988 can be used where it is an Assured tenancy and the property is larger than needed, this is where SW9 CH can provide 'suitable alternative accommodation'

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3.36 Successions in Older Persons accommodation

A spouse, civil partner or a co-habiting partner who was occupying Sheltered Accommodation as his or her only or principal home immediately before the tenant's death may succeed to the tenancy, providing there has been no previous succession, and provided SW9 CH considers the individual suitable for the scheme.

SW9 CH will judge the individual's suitability for the scheme by considering whether the individual has a verified support need that would best fit the nature of the scheme, whether the individual meets the age criteria for the scheme, whether allowing the succession would result in under-occupation, or any other relevant criteria.

If the individual is not considered suitable for the scheme, SW9 CH may make an alternative offer of suitably sized accommodation.

No right of succession will be granted to other family members. SW9 CH will endeavour to provide advice and guidance to occupants that do not qualify to succeed and will refer them to the local authority.

3.37 Garage Lettings

SW9 CH has a range of garages, garage plots and parking space. The Garage lettings Procedure provides the framework for application and allocation of such spaces. Network Homes does not let garages to tenants and leaseholders who are in arrears on their homes.

4 Performance Review and Compliance

4.1 The Neighbourhood and Business Support Teams will be responsible for monitoring the monthly performance of allocations and lettings through a range of reports and surveys for general needs and older persons properties including:

- Void turn round time (categorised into minor and major)
- Void rent loss
- % of customers satisfied with the lettings service

SW9 CH publishes a performance scorecard on Apollo and for Management and Board meetings.

4.2 Compliance

The Business Support Team will work with staff to ensure compliance by the completion of audits as per our audit schedule. The Policy has been approved by the Senior Leadership Team. They will retain the role of compliance supervisor. SLT review the performance as part of their monthly review of the dashboard, and voids performance is also reported to Services Committee and Board on a quarterly basis.

5 Legislation and Regulation

The legislation listed in this policy is not intended to cover all legislation applicable to this policy. To comply with clause 1.1 of the Regulator of Social Housing's Governance and Financial Viability Standard, which requires adherence to all relevant law. SW9 CH will take reasonable measures to

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ensure compliance with all applicable legislation by reviewing policies and procedures and amending them as appropriate.

The legislation listed within this policy was considered at the time of the development of this policy, but subsequent primary and secondary legislation, case law and regulatory or other requirements will be considered, and the policy reviewed and adopted in accordance with the requirements set out therein, even should such subsequent legislation not be explicitly listed within this policy. Any queries relating to the applicable legislation should be directed to the policy owner.

5.1 Current Legislation

SW9 CH will meet its legal obligations under the following legislation:

- Equality Act 2010
- Housing Act 1985, 1988 and 1996
- Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006
- Localism Act 2011
- Regulatory framework for England April 2012
- Defective Premises Act 1972
- Home Loss Payments (Prescribed Amounts) (England) Regulations 2008
- Land Compensation Act 1973
- Landlord and Tenant Act 1985 and 1987
- Human Rights Act 1998
- The Civil Partnerships Act 2004
- Health and Safety at Work Act 1974
- The Gas Safety (Installation & Use) Regulations 1998
- BS 7671 IEE Wiring Regulations
- Control of Asbestos at Work Regulation 2002
- Rehabilitation of Offenders Act 1974

5.2 New regulations

SW9 CH will need to be vigilant to new regulations and assess the impact on their business. The result may have an impact on any of the following areas:

- (a) Strategy
- (b) Policy
- (c) Process
- (d) Information Systems.

6 Related Documents

This policy should be read in conjunction with the following documents:

- Development Control Manual
- Rent Control Manual
- Policies relevant to Housing Management, Voids and Lettings and Income Recovery
- Policies relevant to Domestic Abuse and Anti-Social Behaviour
- Complaints Policy

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- Data Protection and Compliance Policy
- Confidentiality and Compliance Policy
- Tenancy Agreements
- Right to rent procedure
- Assignments and Successions Procedure
- Applications Procedure for Transfers and Management Transfer
- Decant Procedure
- Garage Lettings Procedure
- End of Tenancy Procedure
- Voids Management Procedure

7. **Equality and Diversity**

We will apply this policy consistently and fairly and will not discriminate against anyone based on any relevant characteristics, including those set out in the Equality Act 2010.

8. **Complaints**

Any tenant who is dissatisfied with how we have managed our Voids and Lettings Service or is dissatisfied with the service provided under another service covered by this policy is able to submit a complaint using our Complaints process. Once our Complaints policy is complete and if they remain dissatisfied then they can contact the Housing Ombudsman.

9 **Review**

This policy will be reviewed in line with our parent organisation, Network Homes' Allocations and Lettings Policy. This will be every 3 years, or sooner if there is a specific legislative, regulatory or service requirement or change in guidance, law or practice.

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Status (draft or final):	Draft.v2	
Approved by:	SW9 Board	
Approval Date:	March 2023	
Policy author:	NH Exec. Director of Customer Services	
Policy owner:	Head of Housing and Estate Services	
Adopted from Network Homes: y/n	Yes	
Review schedule (1, 2 or 3 years):	3 years	
Date of next review:	August 2025	
Equality Impact Assessment (EIA)	Date completed	
	Initial or full EIA	

VERSION CONTROL/CHANGE RECORD

***Guidance:** When a document has undergone **major changes** requiring approval, the version number must change – e.g. from V1.0 to V2.0. When a document has undergone **minor changes**, not requiring approval, only the number after the decimal point must change – e.g. from V1.1 to V1.2. When a document is reviewed but no changes are made, the number after the decimal point must still change.*

Date	Reviewed by (name and title)	Version	Summary of changes
Feb 2023	Zoe Christodoulou Policy & Performance Officer	Draft.v2	Updated to bring in line with NH Policy

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