

# Lettings Policy

## Scope of Policy

This policy sets out the approach of Platform Housing Group (the Group) to let our available social or affordable rented housing, including our specialist housing which is designed to meet the specific needs of certain groups of people, such as supported housing and housing for older people.

## Applicability

The policy applies to all members of the Group.

### 1. Policy Statement

- 1.1 The intention of this policy is to provide a framework for us to let our homes in a way that is responsive to the needs of an individual in terms of their home, financial position and aspiration, the sustainability of the communities in which we have our homes and the efficient use of our housing stock.

The policy aims to ensure that we comply with all relevant legal and regulatory frameworks and sets out the Group's approach to lettings.

### 2. Context

- 2.1 The Group owns and manages a diverse housing stock over an extensive geographical area, working with a significant number of local authority partners. It is important that our Lettings Policy is clear and transparent for existing and prospective customers and allows us the flexibility to effectively address the housing needs of our communities.

### 3. Aims and Objectives

- 3.1 We will work closely with local authorities in the areas in which we operate, contributing to the delivery of their strategic housing functions and statutory duties and increasing our level of social value investment.

We aim to:

- Let our homes in a fair, transparent, and consistent manner to customers who cannot access market housing.
- Provide reasonable choice to those in housing need.
- Ensure our lettings contribute towards balanced and sustainable communities and promote social inclusion.
- Ensure any tenancy is sustainable.
- Enable mobility between homes and areas through internal transfers. We have a separate Mutual Exchange Policy.

- Let properties quickly and appropriately, minimising the number of empty properties, meeting demand and maximising rent income.
- Ensure services are responsive to the diverse needs of the communities that we work within, ensuring equal opportunities for all applicants for housing.
- Be accountable by providing a fair and transparent decision making, appeals and lettings process.
- Work actively to tackle and rectify social housing fraud where an applicant withholds or provides false information which has resulted in them obtaining accommodation with the Group.

## **4. Policy Outline**

### **4.1 How We Find Customers for Our Available Homes**

The arrangements for finding customers for our homes can vary and depends upon the type of home we have available for letting.

Most of our general needs social and affordable rented homes are allocated using local authority Choice Based Lettings systems.

Our retirement portfolio, where the local authority does not have 100% nomination rights, will be advertised via various platforms and customers signposted to where they can express their interest.

#### **4.1.1 Nominations**

A nomination is a term defined in the Housing Act 1996; it is an allocation made in accordance with the allocation scheme of the relevant local authority and is governed by the local authorities' published allocation scheme rather than this Lettings Policy.

An allocation to a home owned by a Registered Provider via a nomination is classed as a publicly funded service and, therefore, homes let via a nomination may not be let to someone who has no recourse to public funds. This restriction does not apply when we let homes outside of any nomination agreements but will be in line with our charitable status. It is the responsibility of the nominating authority to verify recourse to public funds.

We have nomination agreements, service level agreements or agreed arrangements in place with all local authorities where we have an obligation to accept nominations for housing, in compliance with statutory requirements. A nomination agreement sets out how many homes we will offer to a local authority (expressed as a percentage of vacant homes per annum), as well as other considerations such as timescales, acceptable reasons for refusing a nomination and how disputes will be resolved.

#### 4.1.2 **Direct Applications and Referrals**

Where nomination agreements allow us to, up to 50% of lettings are not required to be allocated to the local authority. This means we will have the ability to advertise and allocate properties directly. We will determine the most appropriate route by which to allocate the property based upon local housing demand and previous successful advertising routes. We will ensure that applications are managed fairly and transparently for direct applications in the same way nominations from local authorities are.

Customers for our specialist housing portfolio can be identified via external or direct referrals – all referrals are assessed and agreed in line with the policy and procedure.

All applicants to specialist housing locations operating a ‘Stay Put’ fire evacuation policy need to be able self-manage evacuation to a place of safety at allocation and throughout the tenancy.

#### 4.1.3 **Managed Moves**

There may be exceptional circumstances where there is an overriding urgent housing need to allocate an alternative home to existing customers. Our Managed Move Policy and procedure sets out the eligibility criteria and approval process.

### 4.2 **Allocations to Under 18 Year Olds**

4.2.1 We will accept applications from those over the age of 16 years but will not normally offer a tenancy until they reach the age of 18 years, except in exceptional circumstances and this would normally require an Equitable Assured Shorthold Tenancy Agreement. In these circumstances a Trustee can be appointed and who should be a responsible adult over 18 years of age, who is known to the applicant or a person from an agency, such as Children’s Services.

4.2.2 Where a young person qualifies for assistance under the Children (Leaving Care) Act 2000, the local authority Children’s Services Team would be expected to meet their housing costs until they reach the age of 18 years and to continue to work with the young person post 18 years.

### 4.3 **Tenure**

New customers for general needs and retirement accommodation, who do not currently have a secure or an assured periodic tenancy with a local authority or Registered Provider, will be offered a 12-month Starter Tenancy, which will be an assured shorthold tenancy. The starter tenancy will be monitored in line with the Starter Tenancy Policy.

#### 4.4 **Sustainability**

Sustainable tenancies and communities are our goal when allocating our available homes.

We will consider the financial capability of an applicant and their ability to demonstrate that they can pay the rent and service charges. A thorough and fair affordability assessment will be completed and decisions made in line with our Affordability Procedure.

Alongside affordability we will look at the allocation holistically including any vulnerabilities. We recognise vulnerability is not static and is a changeable state influenced by multiple factors. Decision making will also give consideration to the property type and the community to ensure that we are housing customers appropriately with no detrimental impact on either, this is called our Sustainability Matrix.

#### 4.5 **Occupancy Criteria**

We are required by the Regulator of Social Housing to make best use of our available housing and hence set out how are homes are allocated.

We will not:

- Deliberately overcrowd a property when it is allocated.
- Allocate a property where any child aged 16 years or over will be required to share a bedroom.
- Allocate a property where children between the ages of 10 and 15 years of the opposite sex will be required to share a bedroom.

These principles will be reviewed on a case-by-case basis should there be exceptional circumstances, such as the household composition and lack of housing stock in our operating areas, urgent need to move to a larger family home due to domestic abuse, safety or medical need.

When we advertise our homes, we will make clear any restrictions on property eligibility which includes the size of home a household is eligible for and how many household members the property can accommodate.

An extra room may be allowed for:

- approved foster carers.
- households with a medical need where this is a requirement.
- if someone in the household is in the armed forces and does not have allocated self-contained accommodation provided by the military
- If a customer(s) has been approved for adoption of a child/children

When a member of the household is pregnant with their first child, the applicant will be considered for two-bedroom accommodation depending on their eligibility to bid through the local authority's allocation policy. Customers will also be considered via direct applications.

When considering whether children form part of the household eligibility for additional bedrooms, we will only consider allowing a bedroom for children where the Child Benefit is paid to a member of the household applying for housing or where an appropriate court order is in place.

The above are our minimum occupancy requirement and we may agree to let a home where older children (over 16 years) or household members of the same gender are required to share a room, provided that there would be no breach of statutory overcrowding definitions.

#### **4.6 Under Occupation**

We may also consider under occupying one of our homes where the property is of low demand, and we have been unable to let the home to capacity via a local authority nomination or through direct application. We may also elect to under occupy a property to support the longer-term future, sustainability, or balance of a community. Any under occupation will be subject to an affordability assessment to ensure that the tenancy is sustainable.

#### **4.7 Adapted Homes**

We aim to make the best use of homes that have been adapted to meet the requirements of customers with health and disability needs. We may do this by a direct nomination request to the local authority or by advertising a property and stating that priority will be given to customers who require the adaptations. We may seek professional advice from the customer's occupational therapist to assess the suitability of a vacant home.

Our Tenancy Management Policy sets out our approach for existing customers.

#### **4.8 Specific Allocation Criteria**

##### **4.8.1 Retirement Living Accommodation**

Applicants aged 60 years or over are eligible to apply for Retirement Living accommodation. Customers need to be able to live independently, with or without support and/or care and demonstrate a need for this type of housing.

In exceptional circumstances, a younger partner or carer may move in with someone aged over 60 years, or we may consider a younger applicant, where it is evidenced through a support assessment that they have a specific care or mobility need and are in receipt of Personal Independence Payment (PIP). Decisions will be made taking into

account the individual circumstances of the applicant(s) and the profile of the accommodation, including whether properties are low demand.

#### 4.8.2 **Retirement Village Accommodation**

Applicants aged 60 years or over with identified support and/or care needs are eligible to apply for accommodation within a Retirement Village when all of the properties are designated as rented tenure.

For mixed tenure Retirement Villages, applicants aged 55 years or over with identified support and/or care needs are eligible to apply.

Exceptions of age criteria will be considered for applicants in receipt of Personal Independence Payment (PIP). Where a housing or support need for this type of accommodation is identified, applicants will be considered on a case-by-case basis.

All applicants for Retirement Villages need to be able to live independently, with or without support and/or care and demonstrate a need for this type of housing. This is subject to an assessment and reviewed by a multi-agency panel.

We aim to achieve balanced village communities with a mix of applicants, some with support needs, but no care need, others with low/medium or high-level support and/or care needs.

#### 4.8.3 **Bungalows**

Our overarching aim is to make best use of our housing stock when supporting households with medical needs and potentially the need for aids and adaptations.

Where a bungalow has a minimum age requirement or specific eligibility criteria, we will identify this on the nomination request or advertisement.

Households over the age of 50 years, or with a proven medical need for ground floor accommodation and in receipt of disability benefits, will be considered for general needs bungalows.

Two-bedroom bungalows, subject to any age requirements or specific eligibility criteria, will be let to households who need two bedrooms. This could include a couple who are unable to share a bedroom for medical reasons or a single person who requires an overnight carer, or a household with dependent children where one applicant is in receipt of disability benefits.

Any under occupation will be subject to an affordability assessment to ensure that the tenancy is sustainable.

#### 4.8.4 **Tower Blocks**

Customers for our tower block accommodation will be reviewed by the management team at the tower blocks to ensure that they fully understand the type of accommodation available and that it meets their housing need.

Where a customer is viewed to be vulnerable (see 8.1.7) and has high support needs, tower block accommodation may not be suitable. Any decision not to accept a customer for accommodation in the tower blocks will be fully explained with the right of appeal.

### 5. **Section 106 Requirements**

- 5.1 Some of our homes were built with planning permission that had conditions attached to it. Where this is the case, this is known as a Section 106 agreement. These requirements, or conditions, are site specific and will override any aspects of this Lettings Policy that may conflict with them.

The most common feature of a Section 106 agreement relates to the requirement for us to seek nominations from the local authority and to restrict eligibility for the homes to those with an established local connection to the area, district or parish. The local connection and eligibility criteria will be published with the advertisement.

Our advertisements will state if there is a Section 106 requirement.

### 6. **New Build Homes**

- 6.1 Where a new development is subject to planning constraints, such as a Section 106 agreement, or where we have received funding to assist in developing new homes, there is usually a requirement for all first lettings to be offered to the local authority for nomination from their Housing Register.

We may develop with the local authority a Local Lettings Plan (LLP) for first lets on new build schemes to ensure that a sustainable community is created. If a LLP is proposed for ongoing lettings on a scheme, it will be time limited and reviewed.

Our advertisements will state if there is a LLP and the eligibility criteria.

### 7. **Customer Journey**

- 7.1 We want to ensure that our relationship with our new customers gets off to the best start and that the offer of a home is the right step for the customer to start their journey with us. This involves us getting to know our customers and ensuring that they are ready to move and making sure the property they are being considered for suits their needs. We will achieve this through a pre-tenancy assessment included in our verification procedure.



Our Tenancy Fraud Policy outlines proof of identity requirements.

Applicants will be requested to pay one month's rent in advance, this is set out in our affordability procedure.

Failure to provide all the required information/documentation or providing false information will result in the application for housing being refused.

We will withdraw the offer of accommodation and will not make any further offers of accommodation where applicants have been made an offer but then failed to engage.

## **8. Deciding Not to Offer a Home to an Applicant**

8.1 There may be occasions when we decide that we are unable to offer a home to a direct applicant or accept a nomination from a local authority because the property in question is not suitable or because the applicant is not suitable or ready for a tenancy with us.

We will consider the individual circumstances of every applicant before making any decisions. If we decide not to offer a home to an applicant, we will explain our reason(s) clearly. We will also explain what the applicant needs to do to be reconsidered in the future. All decisions will be notified in writing to the applicant with a right of appeal.

Rejection of a nomination will be discussed, where required, with the nominating local authority, to ensure the rejection is in accordance with the authority's allocation scheme and the relevant nomination agreement.

The list below is not exhaustive but provides some examples of what we consider when making our decision to offer a home to an applicant.

### **8.1.1 Affordability**

Both new applicants and existing customers will be required to demonstrate that the tenancy will be sustainable and that they can afford to pay the rent and any service charges. We will carry out an affordability assessment with the applicant and any joint applicant to help us in our decision making.

Our aim is not to decline an applicant on the grounds of affordability, we will ensure that any decision not to accept an applicant on the grounds of affordability is fully considered in partnership with our Successful Tenancies Team.

### **8.1.2 Anti-Social or Unacceptable Behaviour**

We do not automatically consider anyone ineligible for housing with us if they have a previous conviction(s) or engaged in anti-social behaviour.

Where an appropriate assessment has been carried out and we are concerned that an applicant will pose a risk to themselves, our colleagues and contractors, their home, or the wider community then they may be deemed ineligible for housing with us.

As part of our statutory duty to assist local authorities in the discharge of their duties, we may consider housing a person convicted of sexual offences, any other offender subject to Multi-Agency Public Protection Arrangements (MAPPA) or a prolific offender.

When reaching our decision, we will consider all relevant circumstances and will gather evidence and information from all available sources.

Engaging in or committing antisocial behaviour or an unspent conviction will not result in an automatic rejection, each case will be considered.

### **8.1.3 Housing Related Debt**

If an applicant or joint applicant has any housing related arrears, we will take this into account when determining whether to offer a home.

We will not make an offer of housing where someone:

- has outstanding housing related arrears with another landlord including in the private sector, and no payment plan is in place or where a plan is in place but has not been maintained for a minimum of six months.
- owes any arrears (rent, rechargeable repairs, court costs) to us.

Where an existing customer is in rent arrears consideration will be given regarding how that debt accrued before a decision is made.

### **8.1.4 Immigration Status**

We are required by law to ensure that everyone aged 18 years or over in a household has the right to rent a home in the United Kingdom. Whilst the local authority should verify the right to rent, we will seek verification at application stage. We will ensure every adult over 18 years has the legal right to rent one of our homes.

The right to rent is distinct from having no recourse to public funds. If an applicant has no recourse to public funds and is nominated to us by a local authority, we will reject the nomination and return it to the local authority as housing via a nomination is classed as a publicly funded service. If a joint application has been made and one of the applicants has no recourse to public funds, we may still agree to house the household subject to one applicant has both recourse to public funds and the right to rent in the United Kingdom.

### 8.1.5 Sufficient Financial Means, Assets and Home Ownership

We will not normally consider offering a home to someone who owns a property in the United Kingdom or abroad, or to someone who has sufficient income or assets to be able to rent a home on the open market. If an applicant has been accepted by the local authority as eligible for the Housing Register, we will consider for accommodation.

Consideration will be given for homeowners who are unable to access housing in the private sector.

We will apply the following income limits when considering new applicants for general needs housing:

- Single applicant £35,000
- Joint application £50,000
- Single applicant with children £45,000
- Joint applicants with children £60,000
- Equity £35,000
- Savings £20,000

### 8.1.6 Availability Of Support

We will not consider applicants where the accommodation we offer does not and cannot reasonably meet the applicants support needs, or applicants demonstrate that they need a higher level of support which we or another provider cannot reasonably facilitate. We have a Customer Strategy as an example of the support needs we consider.

We will be unable to consider applicants who, following an assessment, cannot demonstrate that they currently have the appropriate skills in place to be able to manage a tenancy effectively and are not tenancy ready.

We will only offer a home to vulnerable customers where adequate support arrangements are in place.

We may consider someone to be vulnerable where they are “an individual or household experiencing difficulties with everyday living” which could:

- Affect their ability to successfully adhere to their conditions of tenancy without additional support.
- Place them at risk in their home.
- Affect how they access our services.

This does not mean everyone who meets the definition is vulnerable, but we will use it as a guideline when assessing the needs of our customers.

We will work with agencies to seek the required support before making a final decision. We will not offer a home where the customer refuses to or has demonstrated that they are unlikely to engage with any support that is put in place.

#### 8.1.7 **Fraudulent Applications or Withholding Information**

We aim to ensure that our available properties go to those who need a secure home. We will not tolerate those who seek to defraud the system by obtaining a home for which they are not eligible or for personal gain such as subletting. We will not allow anyone to hold more than one tenancy within the social housing sector other than during the overlap period when transferring homes within our housing stock.

Social housing fraud is a criminal offence. Anyone found to have deliberately lied, provided false information, or withheld information as part of an application will not be accepted as an eligible applicant by us. A tenancy obtained by deception will be subject to repossession action and possible criminal prosecution. If we discover any deception at application or offer stage, we will cancel the application or withdraw the offer.

#### 8.1.8 **Mobility Vehicles**

Where any applicant or any person living with or visiting has a mobility scooter, there must not be a requirement to use or keep that mobility scooter in the home or in any shared areas. Written consent is required as part of the allocation process and should that consent not be awarded then the suitability of the property under consideration will be reviewed.

### 9. **Appeals**

9.1 Applicants or existing customers may appeal against our decision not to offer them a home if they feel we have not considered all relevant information or have made the decision unfairly.

Appeals must be made in writing within 10 working days from the date of notification of the decision not to accept an application or a decision not to make an offer. We will not hold any homes empty whilst the appeal is being considered. However, if the appeal is successful, we will seek to offer a suitable alternative property.

A Lettings Manager, who has not been involved in decision making, will consider an appeal. Applicants or existing customers will be notified of the outcome in writing within 14 days. If an applicant or existing customer remains unhappy with the outcome of an appeal they may appeal to the Head of Lettings. Any appeal needs to be in writing and within 10 days of the notification of the decision.

If an applicant or existing customer remains unhappy with the decision of the Head of Lettings, they should advise us in writing, within 10 days of notification of the

decision, of the reason(s) and this will be considered in accordance with our Complaints, Comments and Compliments Policy.

## **10. Platform Colleagues and their Relatives**

- 10.1 Any lettings to a colleague of the Group or their relatives must be approved in line with our Codes of Conduct.

## **11. Equality and Diversity**

- 11.1 We are committed to fairness and equality for all regardless of their colour, race, ethnicity, nationality, gender, sexual orientation, marital status, disability, age, religion or belief, family circumstances or offending history, as referred to in our relevant Group policies. Our aim is to ensure that our policies and procedures do not create an unfair disadvantage for anyone, either directly or indirectly.
- 11.2 Where we identify an applicant or customer who is vulnerable by reason of age, disability, or illness, we will look to make reasonable adjustments to our services to meet the needs of those individuals. This may include altering the way we communicate or adjusting the service we offer to that person. Each case will be judged on its own merit to avoid a one size fits all approach.
- 11.3 Data protection and equality impact assessments have been undertaken in respect of this policy and which identified no negative impacts on any person/group with a protected characteristic.

## **12. Complaints**

- 12.1 We aim to meet the needs of our customers by providing an excellent service. However, it is acknowledged that occasionally things go wrong and customers may wish to complain. Should the need arise to make a complaint, please refer to our Complaints, Comments and Compliments Policy.

## **13. Monitoring and Review**

- 13.1 The next policy review is scheduled for December 2027 and then every three years thereafter.
- 13.2 We will monitor the effectiveness of this policy through performance information which will be reported through the relevant Group Management Team.

Examples of monitoring tools include:

- Via Board Key Performance Indicators (KPI) such as the length of time to let our homes and void loss.
- Measuring and evaluating the number of rejections and reasons for rejections.
- Monitoring tenancy sustainment.

- Regular meetings with our local authority partners.
- The number of complaints, appeals and outcomes.

We will comply with the Regulatory Requirements of CORE (COntinuous REcording of Lettings and Sales in social housing) and will use this data to monitor and analyse performance to identify trends and any continuous improvement opportunities.

- 13.3 Approved documents are valid for use after their approval date and remain in force beyond any expiry of their review date until a new version is available.

## **14. Associated Documents**

- 14.1 List of documents - associated policies, procedures and publications:

- Tenancy Management Policy
- Data Protection Policy
- Mutual Exchange Policy
- Complaints, Comments and Compliments Policy
- Aids and Adaptations Policy
- Managed Move Policy
- Rent Setting Policy
- Sustainability Matrix
- Affordability procedure
- Starter Tenancy Policy
- Reasonable Adjustment Policy

- 14.2 This policy has been developed with regard to the following legislative and regulatory framework:

- Housing Act 1985, 1988, 1996 (as amended)
- Homelessness Act 2002
- Equality Act 2010
- Data Protection Act 2018
- Human Rights Act 1998
- Localism Act 2011
- Welfare Reform and Work Act 2016
- Immigration Act 2014 and 2016
- Homelessness Reduction Act 2017
- Domestic Abuse Act 2021
- Homes (Fitness for Human Habitation) Act 2018
- National Planning Policy Framework
- Allocation of accommodation: guidance for local housing authorities
- Tenancy Standard – Regulator of Social Housing
- Prevention of Social Housing Fraud Act 2013
- Housing and Regeneration Act 2008

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