



# Housing Options and Lettings Policy

## 1.0 Introduction

- 1.1 This Policy outlines the range of residential housing options we offer and who can access them. This Policy does not apply to:
  - Student accommodation
  - NHS key worker and hostel accommodation
  - Specialist supported housing for people who are homeless
  - Registered care homes
  - Properties managed by Spruce Homes.
- 1.2 The Policy ensures we allocate our homes in a fair, transparent and efficient way. We'll take into account the housing needs of tenants and potential tenants. We work across many local authority areas and allocate our social and affordable rent homes through their allocation schemes and in line with local authority nomination agreements. Sometimes nominations agreements will override this Policy as they are legal agreements which we have to comply with.
- 1.3 Where a panel of managers agree an urgent move is needed, outlined in [section 4](#), we'll usually only make one offer of accommodation to resolve the identified issue.
- 1.4 Some of our homes have additional eligibility criteria, including:
  - Market rent
  - Intermediate market rent
  - London Living Rent
  - Rent to Buy/Save
  - Shared ownership
  - Temporary social housing.
- 1.5 Where we agree to local lettings plans/agreements, we'll allocate homes in line with them.
- 1.6 Where we use the terms 'you' and 'your' we mean residents or prospective residents. The terms 'we', 'our' and 'us' mean Southern Housing.

## 2.0 Housing options

### 2.1 Our offer:

Social and affordable rent housing options	
Housing option	Description
General needs and older persons accommodation	<p>This is the majority of our homes and covers a range of types and sizes.</p> <p>Older persons accommodation has a minimum age restriction of between 50-65 depending on the scheme. Other scheme specific eligibility criteria may also apply.</p> <p>You'll need to apply to the local authority waiting list through their housing department. Occasionally, where relevant, we may accept nominations from the Greater London Authority's Housing Moves scheme. When we designate a property 'hard to let' we may accept nominations from other sources whilst still meeting housing need.</p>
Extra care housing	<p>Eligibility criteria is set by the local authority, social services and us, the provider. Usually being in housing need, requiring care and meeting the age criteria will be sufficient to gain access to the waiting list for this type of accommodation.</p>
Short term temporary accommodation and supported accommodation	<p>Eligibility criteria is set by the nominating local authority or contained within the partnership agreements.</p>
Other rented housing options	
Market rent	<p>Private rented housing with a minimum six month tenancy. Homes advertised privately.</p> <p>To be eligible for our market rent homes you must be able to:</p> <ul style="list-style-type: none"> <li>• Pass our affordability assessment and meet our minimum income requirements</li> <li>• Pass the Right to Rent check.</li> </ul> <p>We usually prioritise applications by the date and time they are received.</p>
Intermediate market rent	<p>Rents up to 80% of market rent.</p> <p>To be eligible for an intermediate market rent home you must usually:</p> <ul style="list-style-type: none"> <li>• Be unable to purchase a suitable home to meet your housing needs on the open market</li> </ul>

	<ul style="list-style-type: none"> <li>• Not be a property owner (you must not be on the title deeds of another property)</li> <li>• Pass our affordability assessment and meet our minimum income requirements</li> <li>• Have an overall household income below £90,000 if applying for a property in London or £80,000 if applying for a property outside of London</li> <li>• Be registered and assessed by the local Help to Buy Agent</li> <li>• Pass the Right to Rent check.</li> </ul> <p>In some cases you'll need to apply through the local authority. Other eligibility criteria may apply depending on the property and may be set by our local authority partner.</p> <p>We usually prioritise applications by the date and time they are received.</p>
London Living Rent	Rented homes below full market rent, you'll need to meet the eligibility criteria set by the Greater London Authority to apply.
Key worker homes	<p>A small number of our homes are reserved exclusively for key workers who currently work in or have retired from the civil service or public sector. The definition of a key worker and individual criteria requirements can differ depending on the local authority or scheme.</p> <p>For information about our key worker accommodation for the NHS, please refer to our <a href="#">Student and Key Worker Allocation and Tenure Policy</a>.</p>
<b>Ownership options</b>	
Shared ownership	<p>You can buy a share of a new home and pay the rent on the part you don't own. You'll also need to pay service charges.</p> <p>For most schemes you'll need to be a first time buyer or not currently own a property. More information is available in our <a href="#">Shared Ownership Sales Policy</a>, or you can contact our Home Ownership Team. Shared ownership homes for sale are on our website.</p>
Extra care shared ownership	<p>Homes offering independent living in a purpose-built scheme, usually for over 55s, in some schemes this may be lower.</p> <p>You can buy a share of a new home and pay the rent on the part you don't own. You'll also need to pay service charges</p>

	You'll need to meet the eligibility criteria for the scheme if you're interested in buying an extra care shared ownership home.
Rent to Buy/Save	<p>If you aspire to home ownership, Rent to Buy/Save is designed to enable you to move into your chosen home even if you have not yet been able to save a sufficient mortgage deposit. Rent to Buy/Save allows you to rent a property at up to 80% market rent with an option to buy. To be eligible:</p> <ul style="list-style-type: none"> <li>• Your annual household income can be no more than the latest published government figures</li> <li>• You should be unable to purchase a home suitable for your needs without assistance</li> <li>• You cannot be a current homeowner (or be named on the deeds of another property)</li> <li>• You must not have any outstanding credit issues (i.e. unsatisfied defaults or county court judgments).</li> </ul> <p>Other eligibility criteria may apply depending on the property.</p>
Outright sales	<p>New homes for sale at open market prices. You can contact us direct about these homes.</p> <p>You don't need to be accepted by a local authority but you'll need to meet any relevant criteria for the scheme, e.g. outright sales within an extra care scheme may have age and care need criteria.</p>

## 2.2 Eligibility criteria for our rented homes

To be eligible for one of our rented homes you must:

- Be over 18 years old (or over 16 in exceptional circumstances with an adult guarantor where possible. We'll issue an equitable agreement until you are 18 years old).
- Be able to pay the rent, including being able and willing to pay rent in advance, and have evidence of your income (including earnings and benefits) and savings
- Pass a Right to Rent check (unless you have been nominated by the local authority who will have checked your immigration status). The Right to Rent check confirms that your immigration status allows us to consider you for housing.
- Meet the household criteria for the size and type of home
- Pass any affordability checks we carry out
- Not be in breach of a previous tenancy or occupancy agreement or have behaved unacceptably, for example failure to pay rent or anti social behaviour (see [Appendix B](#) for further detail)
- Not have access to, or an interest in, any other home you could live in

- Agree for us to undertake, and to pass credit references and fraud checks where required
- Meet any relevant scheme and service criteria
- Have the required support, mentally or physically, in place to be able to manage your home or tenancy
- Not pose an unmanageable risk to our employees or residents
- Earn less or have savings or capital below the criteria set by the nominating local authority (social and affordable rent only)
- Have consent in line with our [Probity Policy](#) if you're a Southern Housing employee or Board member, or if you're related to a Southern Housing employee.

2.3 We'll only offer you a home if you meet these criteria.

2.4 We'll check household information, including proof of identity and financial support needs. You must provide documentary evidence where requested.

2.5 The size of the home we offer you is usually based on the number of people in your household and their age, sex, and relationship to each other. We work out how many bedrooms you need by looking at who is in your household and who can share a bedroom ([Appendix A](#) provides some examples).

### **3.0 Options for existing tenants if you need to move**

3.1 You may want to move home if your current rented home is no longer suitable, because:

- It's too big – you want to downsize
- It's too small – you want to move to a larger home
- You want to live in a different area, perhaps for work
- It no longer meets your needs.

3.2 You may also need to move home, due to:

- An emergency, e.g. fleeing domestic abuse
- Your Fixed Term Tenancy coming to the end of the fixed term and we're not renewing it (please refer to our [Tenure Policy](#) for more information)
- It being identified for redevelopment and we need to move you to a replacement home (often referred to as a decant)
- The need for significant repairs that are uneconomical to carry out.

3.3 We'll provide information about options to move including:

- Mutual exchange (swapping home with another tenant)
- Applying to a local authority for a transfer. You'll need to register with your local authority and bid for suitable homes if there's a Choice Based Lettings scheme.
- Shared ownership and other affordable ownership products.

### 3.4 Moving to a replacement home

- 3.4.1 We'll support tenants who need to move to a replacement home on a temporary (e.g. for major repairs) or permanent basis (e.g. if your home is going to be redeveloped).
- 3.4.2 If you need to move to a replacement home on a permanent basis, we'll offer you a property based on your current need and try to meet your other preferences.

## 4.0 Management moves

- 4.1 If you need to move in an emergency, such as you're facing immediate violence or threats to your personal safety, you need to:
- Contact the police to report the incident, get assistance, and a crime reference number
  - Contact your local authority for accommodation options. Your local authority has a duty to provide accommodation in an emergency.
  - Let us know.
- 4.2 In limited circumstances, we may be able to offer a management move to one of our homes, subject to availability, if you have an evidenced need to move due to:
- Domestic abuse
  - Witness protection
  - Anti-social behaviour/severe harassment
  - Significant personal tragedy where it is unreasonable for the household to remain in the home
  - Rehoused to release a property which we considered rare or special e.g. adapted home, supported home
  - Medical needs, which includes mental health, which make the home inaccessible and unusable.
- 4.3 If we do have a suitable alternative property, we'll make you one reasonable offer.
- 4.4 You should also join the waiting list with your local authority for a new home because a home may be available through another social housing provider.

## 5.0 If you're not happy with a decision we make (rented homes)

- 5.1 If you're not happy with a decision we make about an offer or application for housing with us you can appeal. You need to make an appeal within 10 working days of us notifying you of our decision. We'll review this and aim to respond within 10 working days with the outcome. We'll re-offer the home involved in an appeal to another household.

## 6.0 Review

- 6.1 We will review this Policy to address legislative, regulatory, best practice or operational issues.

## Policy controls

<b>Effective from</b>	16 December 2022
<b>Approved by</b>	Designate Executive Team
<b>Approval date</b>	13 December 2022
<b>Policy owner</b>	Director of Housing
<b>Policy author</b>	Ryan Ward, Head of Lettings (Optivo)

<b>Version history</b>			
<b>Version no.</b>	<b>Date</b>	<b>Summary of change</b>	<b>Author and approver</b>
1.0	13.12.22	New policy	Ryan Ward, Head of Lettings Designate Executive Team
1.1	11.05.23	Appendix A – Update to allow one extra bedroom when downsizing to a smaller home 2.2 – reworded first bullet point to clarify we issue an equitable agreement until 18	Ryan Ward, Head of Lettings Executive Team
1.2	04.01.24	4.2 Medical needs to include mental health issues as a reason needing to leave the property	Ryan Ward, Head of Lettings Corporate Director of Operations

## Appendix A – Property size (social and affordable rent homes only)

It's important we make the best use of homes, as part of our regulatory responsibility. We do this by calculating the number of bedrooms for a household based on:

One bedroom for:

- Each couple or person over 16
- 2 or more children under 16 (if the same sex and room size permitting)
- 2 or more children under 10 (any sex and room size permitting)
- A carer (who doesn't normally live there) if overnight care is required
- Approved foster carers, currently fostering or who have fostered a child or registered to foster in the last 12 months
- An adult child serving in the armed forces, who still lives with their parents when not on service
- Disabled children, where the local authority agrees a shared bedroom is not appropriate
- An unborn child where the expected due date is within 16 weeks.

One extra bedroom for:

- Our residents downsizing and releasing a larger home.

No bedroom will be allocated for:

- A child whose main home is elsewhere, as shown by the address of the parent receiving child benefit for the child, verified before the offer is made
- Anyone who is not accepted by us as permanent members of the household.

We'll be clear about the minimum number of occupants for each home when we advertise them. Here are some examples:

- Smaller three bedroom homes with two double bedrooms and one single bedroom will be allocated to households with a minimum of three people
- Larger three bedroom homes with two double bedrooms, a single bedroom and a dining room will be allocated to households with a minimum of four people
- Smaller four bedroom homes with one double bedroom and three single bedrooms will be allocated to households with a minimum of four people
- Larger four bedroom homes with one double bedroom and three single bedrooms and a dining room will be allocated to households with a minimum of five people.

Each home is different, the list above is illustrative and not exhaustive.

## **Appendix B – Refusal due to anti social behaviour (ASB), unacceptable behaviour or other tenancy breaches**

We may refuse an application or nomination if any of the following apply to you or a member of your household. Any decision based on these reasons will be subject to the requirements of any nomination agreement we have with the local authority which may be different:

### **Anti social and unacceptable behaviour**

- You have been evicted or had a possession order (suspended or outright), an injunction or closure order made against you in the past 5 years, for serious ASB including (but not limited to) neighbour nuisance, violence and threats of violence, harassment, intimidation, domestic abuse, or criminal or immoral behaviour while a tenant with us or a previous landlord.
- You are currently subject to legal action by us or another landlord on the grounds of a serious breach of tenancy, such as ASB including (but not limited to) neighbour nuisance, violence and threats of violence, harassment, intimidation, domestic abuse, or criminal or immoral behaviour. Legal action includes where a Notice of Seeking Possession or Notice Requiring Possession has been served on you within the last 12 months and has not been withdrawn.
- There is evidence of violence or threats of violence, harassment or intimidation towards an employee or contractor of Southern Housing or any other social landlord in the past 5 years.
- There is evidence that a member of your household or visitors to your home have perpetrated antisocial behaviour, harassment, domestic abuse, or other unacceptable behaviour including a history of causing serious nuisance or annoyance to neighbours. (We'll discount this history of ASB if it occurred three or more years prior to the date of application and there is evidence that the tenant's household has conducted the tenancy satisfactorily in the intervening period).

### **Other breaches of tenancy**

- You have been evicted for rent arrears, or where it is known that rent arrears are outstanding to us or to another housing association or social landlord, or you have outstanding debts to us as a result of failure to pay court costs, rechargeable repairs, or any other debt. (We'll assess whether you have made reasonable efforts to remedy this and appropriate arrangements for repayment of debts are in place).
- You have been evicted for any other breaches of tenancy e.g. unlawful subletting, tenant damage, tenancy fraud.

The above list is not exhaustive and we may make exceptions on a case by case basis. We recognise that refusing a tenancy is a serious matter for any applicant and in all cases,

we'll take into account any representations made by the tenant/applicant to explain or mitigate their conduct including:

- Any vulnerabilities you may have or have had
- Steps you took to change your behaviour or make amends
- Your willingness to engage with us/your landlord to improve your behaviour/receive support
- The length of time which has passed with no further incidents
- Any other relevant factors/individual circumstances which you want us to take into account.