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## SECTION 1

### GENERAL INFORMATION

#### 1.0 INTRODUCTION AND INFORMATION

1.1 Govan Housing Association is a registered social landlord and a charitable housing association. The Association's aim is to provide good quality affordable housing.

1.3 The Association owns approximately 1200 properties in the Central and Greater Govan and Ibrox areas of south west Glasgow. It also provides a factoring service for over 450 owner occupiers and commercial owners. The type of housing presently provided by the Association is mainly for general needs, although there are a small number of houses suitable for wheelchair users. We also have 10 sheltered and 10 very sheltered flats.

1.4 You can contact Govan Housing Association at:

35 McKechnie Street

Glasgow G51 3AQ

Telephone: 0141 440 0308

Fax: 0141 440 0637

E mail: [general@govanha.org.uk](mailto:general@govanha.org.uk)

Website: [www.govanha.org.uk](http://www.govanha.org.uk)

1.5 Details of other landlords operating in the Greater Govan area are available in Section 7 of this policy.

#### 2.0 THE ASSOCIATION'S PRINCIPLES IN RELATION TO ALLOCATIONS

2.1 We are committed to providing the best **customer service** possible. Our allocations procedures are designed to make applying for housing as simple and straightforward as possible for the applicant and our staff are available to give advice and assistance to all our applicants.

2.2 The Association believes that **openness** and **accountability** are very important in allocations. We make information available to the public and our regulators about how we allocate houses, and the monitoring methods we use in the process, ensuring that any interested party can understand how we work.

2.3 Everyone, 16 or over, has a right to apply for housing and we will assess every application in a fair and impartial manner, ensuring **equality and diversity** in the allocation of housing.

#### 3.0 EQUALITY AND DIVERSITY

3.1 Govan Housing Association will assess all applications and make allocations with strict regard to equality of opportunity. There will be no discrimination on the grounds of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, gender reassignment, language, social origin, pregnancy or maternity grounds or family circumstances, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.

3.2 Applicants are asked, but not obliged, to provide details of their gender, disability and ethnic origin in order that this part of the policy can be monitored.

3.3 The Association has an Equality and Diversity Policy which is available from the Association's office.

## **4.0 CONFIDENTIALITY**

- 4.1 The Association recognises the confidential nature of the information given to it by applicants and will not disclose anything to anyone who does not have both a need and a right to know it.
- 4.2 In assessing an applicant's housing need, the Association may require confirmation of certain situations that are of a highly personal nature. It is sufficient for the applicant to give the Association sight of any document/report/letter. We would prefer to retain a copy of the original document unless the applicant asks us not to.
- 4.3 The Association undertakes to dispose of cancelled applications in a confidential way. Cancelled applications and all associated documents will be shredded one year after the cancellation date.
- 4.4 The Association has an Openness and Confidentiality Policy which is available from the Association's office.

## **5.0 THE AIMS AND OBJECTIVES OF THE ALLOCATIONS PROCESS**

- 5.1 The policy should be clear and easy to understand.
- 5.2 We will ensure it complies with all relevant legislation and good practice.
- 5.3 We will aim to provide good quality housing at an affordable rent.
- 5.4 The policy will address the housing needs of a range of applicants by ensuring that the Association provides good quality, affordable housing to those in housing need. We have a system of prioritising applicants which is fair and consistently applied and a pointing system where points are awarded based on assessed housing need.
- 5.5 The policy will allow the Association to manage its rented stock effectively, thereby making best use of the stock.
- 5.6 We will ensure that allocation practice is carried out effectively and efficiently to minimise the period properties are empty thus maximising income.
- 5.7 Our aim is to promote stable communities within our areas of operation. We will attempt to encourage people to stay in the area who have a range of life and employment experience. By giving applicants choices when applying we are helping to promote stable tenancies and, as a result, stable communities. The Association will at the point of allocation be mindful of ensuring tenants who are vulnerable are offered additional support to help sustain their tenancy by referral to the Social Work Department, or other appropriate support service. The Association will aim to avoid housing those people with dependency needs in locations where their vulnerability will be increased.
- 5.8 We will ensure the accommodation available meets the housing need of the applicant.
- 5.9 The policy will maximise the choices and opportunities that applicants receive by providing them with information and advice about other providers and by establishing applicants' preferences in relation to the types of homes they want and their location.

- 5.10 We aim to maintain a balanced and stable community by:
- Offering the most appropriate housing to meet people's needs
  - Housing people in appropriate locations
  - Where possible, avoiding clashes of lifestyle by over concentrations of household type or need in one close, street or area.
  - Assist Association tenants to transfer to other properties if they have:
    - Housing need
    - Change of circumstance
    - Aspiration to move
  - Ensure the accommodation available meets the housing need of the applicant
- 5.11 We encourage co-operation between the Association, other housing providers and the Local Authority in their homeless role and other housing providers to meet the needs and aspirations of all applicants.
- 5.12 Training on the Allocation Policy will be given to staff, Committee members and Resident Group representatives.
- 5.13 We will monitor allocation practice through effective performance management systems. Indicators to measure performance will be developed and information will be presented quarterly to the Management Committee and annually to all Govan tenants and service users through the Annual Report.
- 5.14 We shall deal with complaints / appeals to any decisions in the implementation of this policy, in accordance with our Complaints Policy.
- 5.15 A formal review of this policy will take place every 3 years, although, operational amendments may be presented to the Management Committee on an annual basis. Where the proposed changes affect service users, they will be consulted prior to the review. The outcome of the review will be published in our quarterly newsletter.

## 6.0 FORMULATION OF POLICY

- 6.1 This policy adheres to legal requirements contained within:

The Housing (Scotland) Act 2001  
 The Equality Act 2010  
 The Data Protection Act 1998  
 The Access to Personal Files Act 1987  
 The Human Rights Act 1998  
 Asylum and Immigration Act 1999  
 Schedule 7 of the Housing (Scotland) Act 2001  
 Rehabilitation of Offenders Act 1974, amended 2001  
 The Equalities Act 2010

The above list is not exhaustive and further details of the main Acts are given at Appendix 1.

- 6.2 This policy also takes account of the Scottish Housing Regulator's self assessment questions of Performance Standards. The relevant performance standards to the Allocations Policy (Appendix 1) are: -

Activity Standard	AS1.1 -	Access to Housing
Activity Standard	AS1.2 -	Lettings
Activity Standard	AS1.3 -	Tenancies
Activity Standard	AS4.9 -	Homelessness

## **7.0 CONSULTATION WITH STAKEHOLDERS**

- 7.1. Consultation with the community and resident participation has always been one of the key aspects of the way in which the Association operates. We therefore welcome the statutory provisions in the Housing (Scotland) Act 2001 which requires all social landlords to take tenants' views into account when formulating key service delivery policies.
- 7.2 We believe it is important to inform all tenants when a policy is being reviewed, and provide information on what changes are likely to be proposed by the Association. We do this by inviting tenants to become involved in reviews via our website and newsletter, and by giving drafts of the policies to the residents and tenants' groups we work with. We invite feedback from tenants, residents and their representatives on the proposals and take the feedback into consideration in the final document.

## **8.0 THE ROLE OF THE MANAGEMENT COMMITTEE**

- 8.1 While our staff carry out the day to day work in relation to our housing list and allocating houses, our Management Committee also plays an important role. They help formulate the allocations policy monitor the effectiveness of them when they are in place, as well as reviewing them as necessary.
- 8.2 In line with legislation, the Management Committee must also agree any Schedule 7 allocations. More information on these will be given later in this document at Section 2, paragraph 7.0.



## SECTION 2

### APPLYING FOR A HOUSE

#### 1.0 NEW AND EXISTING TENANTS

- 1.1 If anyone is interested in applying for housing they can call at our office for a form, phone and ask for one to be posted out or send us an e mail request at [general@govanha.org.uk](mailto:general@govanha.org.uk) . An application form can also be downloaded from our website. Please see Section 1, 1.4 for contact details.

#### 2.0 ADMISSION TO THE HOUSING LIST

- 2.1 The Housing (Scotland) Act 2001 gives anyone who is 16 years or older the right to apply for housing and to be admitted to our Housing List.
- 2.2 Applicants for housing should be aware of the difference between the right to be admitted to the Housing List and the right to be allocated a house. The number of allocations that we are able to make each year depends on the number of houses becoming available for letting. As demand for housing in some areas exceeds the supply, regrettably the Association is not in a position to assist all applicants with re-housing. Consequently, we cannot provide any guarantees that any applicant will be successful in being made an offer of housing. We will provide applicants with details of other landlords in the area to enable them to maximise their prospects of securing an offer of housing.
- 2.3 Sheltered/Very Sheltered Housing for older people
- To be eligible, applicants should be 60 years of age or over and must be in need of a warden service and housing support. In the case of a couple applying, one of the applicants must be over 60 years of age. However, in certain circumstances applicants under the qualifying age and clearly in need of this type of property will be considered.

For very sheltered housing, the applicant must be in need of a warden service and housing support and also have an element of other support needs, including the provision of meals.

#### 3.0 ASYLUM SEEKERS

- 3.1 Asylum seeker applications will be accepted and coded as suspended applications. They will be reinstated when the applicant is granted leave to remain or authorisation to work. Any requests to house asylum seekers on a temporary or permanent basis whilst an application for residency is still pending will only be considered as a nomination from the UK Border Agency (UKBA) or other accommodation providers who are contractors of UKBA and in liaison with the local authority.
- 3.2 Once a household has been granted leave to remain in the UK the suspension will be lifted and applications will be considered for housing in accordance with our policy.
- 3.3 Management Agreements and leases are in place with accommodation providers to re-house asylum seekers who are nominated by UKBA.

#### 4.0 HOUSING OF SEX OFFENDERS

- 4.1 The Housing Manager will be the Association's Link Officer who will work closely with the SOLO Officer appointed by Glasgow City Council Social Work Services to discuss and agree the housing of any registered sex offenders.
- 4.2 Sex offenders will not be considered for re-housing through the Section 5 homeless route.
- 4.3 Where the Association is aware that an applicant faces allegations or there is a declaration from the applicant that they are a sex offender, we will seek permission from the applicant to approach the Police and Social Work Services. This approach will be to ensure a risk assessment be carried out prior to any decision to allocate a property to the applicant.

#### 5.0 WORKING WITH PARTNERSHIP AGENCIES

- 5.1 The Association works in partnership with the Council in tackling homelessness by assisting the Council in re-housing homeless applicants.
- 5.2 It is the Association's intention to fulfil its duty under Section 5 of the Housing (Scotland) Act 2001 which requires the Association to comply with any request made by the Council to provide accommodation for a homeless household, unless there are good reasons for not doing so.
- 5.3 If the applicant indicates on their application form that they have a support requirement, we will work with each individual and liaise with other agencies as appropriate to determine the applicant's specific needs.
- 5.4 Leases and Management agreements will be put in place with external agencies who provide support for particular client groups to allow them to provide temporary or permanent supported accommodation as appropriate.

#### 6.0 RIGHT TO BUY

- 6.1 Tenants who were formerly Scottish Homes tenants prior to the transfer to Govan Housing Association on 24/11/04 retain the right to buy their property, provided that they have not transferred tenancy after this date. **No other tenants of the Association have the Right To Buy due to our Charitable Status.**

#### 7.0 LETS TO STAFF OR COMMITTEE OR MEMBERS OF THEIR FAMILIES (SCHEDULE 7)

- 7.1 The Staff and Committee Members of the Association and their families and any one who has been a Committee member or employee in the previous 12 months are prevented by law from obtaining any benefit as a result of their connection with the Association. The appropriate legislation is Schedule 7 Part 1 of the Housing (Scotland) Act 2001. This means that any lets made to staff, Committee or their families **must only be made** on the basis of housing need as determined by our Allocation Policy.
- 7.2 The Association has a Schedule 7 Part 1 Register in which it details every allocation made in this way, all such allocations having been checked and approved by the Management Committee. Our Internal Auditors also check that Schedule 7 allocations are recorded appropriately. This provides additional safeguards to our tenants and members as this Register is inspected by the Scottish Housing Regulator with individual allocations being selected at random and checked for appropriateness by either of these parties. Penalties for breaching this legislation are significant.

## **8.0 APPLICANT'S OBLIGATIONS**

- 8.1 Applicants are required to complete a housing application form and answer all questions to the best of their knowledge.
- 8.2 Applicants will be required to sign a disclaimer allowing details to be sought in relation to tenancy references and the exchange of data. Applicants will be required to confirm any change of circumstances in relation to their housing or personal situation.
- 8.3 Applicants are required to provide information to support their application for housing, for example, proof of residency etc.
- 8.4 Applicants will be required to confirm their reasons for refusing an offer of housing.
- 8.5 Applicants must notify the Association of any change in their housing circumstances.

## **9.0 CHOICE**

- 9.1 All applicants are asked to complete an area indication pro-forma which details the Association's properties by street.
- 9.2 Applicants will be given detailed information on their prospect of housing in their requested areas in relation to their points total. Where they have no realistic chance of securing accommodation in their areas of choice, they will be encouraged to consider other areas within the Association's stock or applying to other landlords.

## SECTION 3

### ASSESSMENT OF HOUSING NEED

#### 1.0 FACTORS TAKEN INTO ACCOUNT IN ASSESSMENT OF APPLICATIONS

- 1.1 The Association operates a points system for allocating its housing. This system aims to give the highest priority to applicants in the greatest housing need.
- 1.2 Completed application forms will be assessed using the points system detailed in Section 6.
- 1.3 In the case where joint applicants live at different addresses, the Association will point the application based on the best use of the two current properties. Their housing needs will be assessed and pointed in accordance with the policy.
- 1.4 Section 136 (b) of Part VII of The Housing (Scotland) Act 1987 states that, "a room is available as sleeping accommodation if it is of a type normally used in the locality either as a bedroom or as a living room". The Association in calculating the size of accommodation will NOT include a living room as suitable sleeping accommodation.
- 1.5 The size of housing an applicant and his/her household will be considered for is based on the following criteria:
- Children of the same sex are expected to share a bedroom until they reach the age of sixteen years old unless circumstances require this should not happen, for example, where individuals require separate bedrooms for medical reasons.
  - Children of the opposite sex age ten or over should have separate bedrooms.
  - No more than two children should normally share a bedroom.
  - Adults living together as partners will be expected to share a bedroom unless circumstances require this should not happen, for example, where individuals require separate bedrooms for medical reasons.
  - Adults should not share a bedroom with a child.
  - Different generations should not share a bedroom e.g. grandmother and granddaughter.
  - Different families should not share a bedroom e.g. cousins.
  - One bedroom for each member of the household age 16 or over.
  - Step-families will be classed as one household.
- 1.5 If an applicant has access visits by children, they will be assessed as requiring one additional bedroom, irrespective of the number of children involved. The applicant will need to provide written confirmation about the access arrangements from the children's main carer. Alternatively a letter from another official source would be sufficient.
- 1.6 Expectant mothers will be required to provide medical confirmation of the pregnancy. Where the birth of the baby will lead to the requirement for an additional bedroom, they will be queued on the list for the larger property from the date confirmation of the pregnancy is received.
- 1.7 The Association may allocate a property with an additional bedroom in cases where medical conditions require a household member to occupy a separate bedroom or to accommodate medical appliances such as dialysis machines.

- 1.8 Applicant(s) staying temporarily in a property with the purpose of being housed as a separate household will have overcrowding and/or sharing amenities points awarded.
- 1.9 Applicants may be considered for properties with one bedroom in addition to their needs where there is no waiting list. The applicant must be made aware of the financial implications if they are claiming housing benefit and will be required to sign a form stating that they have been advised of this and understand that they will be liable to pay the rent for the additional bedroom if necessary.
- 1.10 Requests for an additional bedroom for a carer will only be considered if the applicant is in receipt of the necessary qualifying benefits and can provide proof of this entitlement.

## 2.0 FACTORS NOT TAKEN INTO ACCOUNT IN ASSESSMENT OF APPLICATION

2.1 The following factors will NOT be taken into account when assessing an application:

- the length of time for which an applicant has resided in the area for which he/she is applying for housing (there is no minimum period of residence)
- any outstanding liability (such as rent arrears) attributable to a house of which the applicant was not a tenant
- any rent or service charge arrears accrued by the applicant in a previous or current tenancy which are no longer outstanding
- any rent or service charge arrears accrued by the applicant in a previous or current tenancy which are not more than one month's charges
- where the applicant has rent or service charge arrears but has made an arrangement with the landlord for clearing the arrears, has kept to the arrangement for at least three months and is continuing to make payments
- any outstanding debts (including council tax arrears) of the applicant or anyone who it is proposed will reside with the applicant which do not relate to the tenancy of a house
- the age of the applicant, provided that the applicant is sixteen years of age or over, except in the allocation of (a) houses which have been designed or substantially adapted for occupation by people of a particular age group or (b) houses to people who are, or are to be, in receipt of housing support services for people of a particular age group
- the income of the applicant and his/her family
- whether (or to what value) the applicant or any of the applicant's family owns or has owned heritable or moveable property.
- The immigration status of the applicant.

The tenant of any property where they have anyone staying on a **temporary basis** will NOT have the temporary person(s) included in calculating overcrowding points, except where access of children is involved.

## 3.0 VERIFICATION OF CIRCUMSTANCES

3.1 Applicants are required to declare on the application form that all information supplied is true and are reminded to be accurate with the detail they provide. Should it come to the Association's attention that false or misleading information has been given or information withheld. The application will be suspended for 1 year. If false or misleading information has been given in order to obtain a tenancy, the application will be reviewed and action may be taken to recover possession of the property for which a tenancy has been granted if that false information was the basis on which the allocation was made.

- 3.2 When the applicant fills in the application form they must ensure that all the information they give us about their circumstances is correct. This is important because it means we can make an accurate assessment of their housing needs.
- 3.3 For an application to be **accepted** the applicant must provide essential information including the applicant's name and address, national insurance number, date of birth, household composition, proof of identity and proof of address. Proof of ID and address would be, for example, a recent bank statement, utility bill, letter from employer, passport or driving licence.
- 3.4 To ensure we accurately assess the housing needs of applicants, we generally need applicants in the circumstances detailed in the table below to provide some verification before points can be awarded.
- 3.5 If we request further information to assess an application, the applicant needs to supply us with this, within the timescale we state, so we can complete the assessment.

Circumstances	Proof Required
<b>All applicants: Access to Waiting List</b>	All necessary information completed on application form  Proof of identity and proof address for all persons currently staying in property, and those who will be part of new household before an application can be put on the waiting list
<b>All applicants: Assessment of Application</b>	If applicant has held a tenancy, a reference will be requested from the landlord.
<b>Applicants staying with relatives/friends</b>	The tenant of the property must complete a form giving details of all the residents living in the property, details of the property and evidence showing that permission to reside has been given by the landlord or owner of the property for the applicant to stay.
<b>Applicants with support requirements</b>	If the applicant indicates on their application form that they have a support requirement, we will work with each individual and liaise with other agencies as appropriate to determine the applicant's specific needs
<b>Homeless</b>	Evidence of Assessment undertaken by a local authority homelessness advisor
<b>Threatened with homelessness</b>	Copy of valid Notice to Quit / letter withdrawing consent to occupy. (End of lease must be imposed and no option to extend the lease)  Letter from lender regarding legal action
<b>Moving to be near full time education / training</b>	Confirmation of place at the educational / training establishment
<b>Taking up or sustaining employment</b>	Reason why a move will help sustain employment and confirmation of employment
<b>In need of re-housing as mobility affected by current housing circumstances.</b>	Details of medical condition and why it affects mobility

<b>Access arrangements</b>	Letter from child's main carer.
<b>Household member temporarily living away from home</b>	Letter from this individual confirming they wish to be considered part of the household
<b>Experiencing violence or harassment</b>	Supporting evidence required
<b>Property Below Tolerable standard.</b>	Confirmation from the Local Authority or other technical expert that property falls below tolerable standard
<b>Family Support</b>	Evidence that applicant is main support provider and cannot provide support from current address
<b>Additional bedroom for Carer</b>	Proof of receipt of Carer's Allowance.

We recognise that in some cases the information required may be sensitive and of a personal nature. In such circumstances, we will adopt a position of belief and trust.

#### 4.0 CHANGES IN CIRCUMSTANCES

4.1 When the application is on our housing list the applicant needs to tell us if their housing circumstances change. This is so we can update their application and allocate points relevant to their circumstances.

4.2 If an applicant moves to another address they will need to make a fresh application for housing.

#### 5.0 WAITING LIST

5.1 Once the Application has been assessed, we will write to applicants advising them how many points their application has been awarded and their prospects of being housed in their areas of choice. Their application will be put on the waiting list according to the size of property necessary for their family composition.

5.2 Position on any list will depend on the number of points allocated. It should be noted that we receive new applications every day and, as a result, the housing list is constantly changing, and so is the applicant's position on any list.

#### 6.0 SUSPENSIONS FROM THE WAITING LIST

6.1 Govan Housing Association will ensure a continuous opportunity for people to apply for housing, be assessed using the needs-based points system, and to access the housing list. However, in certain circumstances, we will suspend applications. While an applicant is suspended they cannot receive any offers for housing. Suspensions are never permanent. The reasons we will suspend an application are shown below, along with how and when the suspension can be brought to an end.

<b>Reason for Suspension</b>	<b>Length of Time Application will be Suspended</b>	<b>How the Suspension can end</b>
<p><b><u>Outstanding Rent Arrears</u></b>  The applicant has outstanding rent arrears, service charges or rechargeable repairs equivalent to one months charge or more, with a current or previous landlord, <b>and</b> an arrangement has not been kept for at least 3 months and is being maintained, <b>and</b> the debt is less</p>	<p>The application will remain suspended for as long as it takes the applicant to make the repayment agreement with their current or previous landlord and keep the agreement for three months in a row.</p>	<p>The current or previous landlord of the applicant must confirm that the applicant made a repayment agreement and has kept this agreement for the last three months</p>

<p>than 5 years old and has not been pursued by the landlord <b>or</b> when the debt was less than or equal to 1/12 of their annual rent.</p> <p>The applicant is an existing tenant of Govan Housing Association and legal action has been raised by us, unless the applicant is under occupying the property.</p>	<p>If the application is suspended for 12 months, it will be cancelled and a new application will have to be submitted.</p> <p>The application is suspended until the case has been dismissed at court and any legal expenses awarded to the Association by the Sheriff has been paid by the applicant.</p>	<p>When the case has been dismissed at court and any legal expenses awarded to the Association by the Sheriff has been paid by the applicant.</p>
<p><b><u>Providing False Information</u></b></p> <p>It can be shown that the applicant intentionally provided <b>false information</b> during the application process so that they could receive more points for their application.</p>	<p>Twelve months</p>	<p>The suspension will end when the twelve months have passed</p>
<p><b><u>Unsatisfactory Tenancy Report</u></b></p> <p>Where the Association is made aware that the present or a previous tenancy has not been conducted in a satisfactory manner it may consider suspension of an application or withdrawal of an offer of accommodation. This decision will depend on the individual circumstances, and staff will discuss the content of any information or tenancy report with the applicant.</p> <p>An example would be where a Notice of Proceedings for Recovery of Possession has been served on ground 1 – 7 of Schedule 2, Part 1 of the Housing (Scotland) Act 2001</p>	<p>Where the tenancy breach has not occurred in the past 12 months, it will not count as a reason for withholding the offer. Otherwise, suspension will be for a period that allows the applicant to resolve the tenancy matter to the satisfaction of the Association or full period of 12 months, whichever has occurs first.</p>	<p>A further reference will be requested to ensure that the tenancy has been conducted in a satisfactory manner. The suspension will be removed if the reference is acceptable. A further suspension will be applied if it has not.</p>
<p><b><u>Aggressive &amp; Violent Behaviour Towards Staff</u></b></p> <p>The Association reserves the right to suspend applicants who verbally or physically abuse or threaten staff. Similarly any applicant who attempts to bribe a staff member or offer some other form of inducement in order to receive an offer of housing will automatically be suspended from the list.</p>	<p>Suspension will be for a period that allows the applicant to resolve the matter to the satisfaction of the Association or the full period of 12 months, whichever occurs first.</p>	<p>The suspension will end when the applicant resolves the matter to the satisfaction of the Association or full period of 12 months, whichever occurs first.</p>
<p><b><u>Anti-Social Behaviour</u></b></p> <p>The Association will suspend an applicant where there is evidence of serious anti-social behaviour, which has been confirmed by an official source.</p>	<p>Suspension will be for a period that allows the applicant to resolve the matter to the satisfaction of the Association or the full period of 12 months, whichever occurs first.</p>	<p>The suspension will end when the applicant resolves the matter to the satisfaction of the Association or full</p>



This behaviour is likely to have been related to their tenancy, and/or have caused significant alarm, distress, nuisance or annoyance at or in the vicinity of their home and will normally (but not always) have occurred on a number of occasions.		period of 12 months, whichever occurs first.
<b><u>Request By Applicant</u></b> Applicants may wish to have their application suspended for a period of time e.g. they want to be considered for housing in the future but not at present.	The application will be suspended for as long as the applicant wishes.	At the next waiting list review, the applicant will be asked if they wish to remain on the list.
<b><u>Asylum Seekers</u></b>	Application will be suspended until the applicant is granted leave to remain or authorisation to work	When the applicant is granted leave to remain or authorisation to work
<b><u>Section 5 Referral Received</u></b> Direct application live and Section 5 referral received	Direct application will be suspended as soon as Section 5 referral received.	If Section 5 referral fails and applicant is not rehoused via the referral route

- 6.2 Applicants who are suspended from the list will be notified of this in writing. An explanation will be provided on the reasons and the time period that the suspension is to apply will be clearly noted. This letter will also state clearly how the suspension can be brought to an end.
- 6.3 A suspended applicant will also be advised of their right to appeal through the Association's Complaints Procedure.
- 6.4 The Association may decide not to suspend an application where, in the view of the Housing Manager, the needs of the household are so exceptional as to outweigh any other circumstances. Any applications which fall into this category will be reported to Committee on a quarterly basis.
- 6.5 Suspended applications will be reviewed on a regular basis. Our objective is to enable the applicant to resolve the reason for the suspension, thus making them accessible to offers of housing.

## 7.0 REMOVAL FROM THE WAITING LIST

- 7.1 It will not be usual practice for the Association to remove applicants from the lists and, where this does occur, it will be confined to the following circumstances:
- the applicant has requested to be removed from the list
  - the applicant has died
  - the applicant has not responded to the annual review process
  - the applicant has been made an offer of accommodation and has failed to respond to the offer and subsequent letter asking them to contact Association.

## 8.0 REVIEW OF THE WAITING LIST

- 8.1 In order to help ensure that the information held on the list is up-to-date and that each applicant still wishes to be considered for housing by the Association, the list will be subject to a review at least every twelve months.
- 8.2 At the time of the review, the Association will ask applicants to confirm (i) that they still want to remain on our housing list, and (ii) any changes to their circumstances. Applicants indicating a change of circumstances will have their application re-assessed and will be advised of their new status.
- 8.3 The review will be done by post and where there is no response within the review period the application will be cancelled.

## SECTION 4

### ALLOCATION OF PROPERTIES

#### 1.0 THE TENANCY AGREEMENT

- 1.1 All applications are assessed on a case by case basis. This policy gives general information and guidance on the categories used
- 1.2 The Housing (Scotland) Act 2001 introduced the Scottish Secure Tenancy (SST). We would normally let our properties with an SST. In certain very limited circumstances, for example, lets to persons evicted for anti-social behaviour from a tenancy or lets to persons where they or other members of their household are the subject of an Anti Social Behaviour Order (ASBO) granted on or after 30 September 2002 under section 19 of the Crime and Disorder Act 1998, the Association may decide to let on the basis of a Short Scottish Secure Tenancy. There is a separate policy on the use of Short Scottish Secure Tenancies a copy of which can be requested from our office.
- 1.3 Leases and Management agreements will be put in place with external agencies who provide support for particular client groups to allow them to provide temporary or permanent supported accommodation as appropriate.

#### 2.0 SUSTAINABLE COMMUNITIES

- 2.1 In the interest of achieving balanced and sustainable communities and making most effective use of housing stock, the process of matching applicants to properties may require a level of discretion in order to:
- **Match people with appropriate properties** - for example to ensure that physical mobility needs are met and adapted properties allocated appropriately. (If there are no applicants on the waiting list for wheelchair properties and one becomes available, we will attempt to find a suitable applicant. If this is not successful we will offer the wheelchair property to the applicant with the most medical points for mobility.
  - **House people in appropriate locations** – for example to ensure that older people or households with young children are close to transport links and/or schools
  - **Avoid potential clashes of lifestyle** – based on analysis of the circumstances of individual applicants rather than generalisations
  - **Avoiding inappropriate concentrations of household type** – for example high levels of child density or unduly high proportion of vulnerable people in one area, estate, street or close

#### 3.0 REASONABLE PREFERENCE

- 3.1 The Housing (Scotland) Act 2001 states that in determining housing need, reasonable preference is given:
- a) to persons who:
- are occupying houses which do not meet the tolerable standard; or

- are occupying overcrowded houses; or
  - have large families; or
  - are living under unsatisfactory housing conditions; **and**
- b) to homeless persons and persons threatened with homelessness (within the meaning of Part II of the Housing (Scotland) Act 1987, as amended by the 2001 Act).

3.2 Reasonable preference does not mean that we will allocate properties in the reasonable preference groups regardless of its suitability. The allocation should lead to a sustainable, successful tenancy and make best use of the stock.

3.3 Our points system gives reasonable preference to statutory defined groups which are detailed at 5.1 above. Therefore for general needs properties we will operate one waiting list which includes direct applicants and applications from the Association's existing tenants.

For sheltered and very sheltered accommodation we have a separate list and eligibility criteria is based on the need for housing support as defined by the Care Commission and Social Work.

#### 4.0 ALLOCATION GROUPS

4.1 Each application will be assigned to one of the following groups:

- o Section 5 Referrals
  - o Statutory Homeless referrals
- o Homeless
  - o Homeless and potentially homeless applicants
- o Direct
  - o Applicants who are not homeless/potentially homeless and are not Govan Housing Association tenants
- o Transfer-With Housing Need
  - o Current Govan Housing Association tenants
- o Transfer-with no Housing Need
  - o Current Govan Housing Association tenants with no housing need and less than 5 years continuous tenancy
- o Transfer- Aspirational
  - o Current Govan Housing Association tenants with no housing need and more than 5 years continuous tenancy

#### 5.0 POINTING CRITERIA

##### 5.1 Occupying Houses Which Do Not Meet The Tolerable Standard

Legislation sets out the tolerable standard which a home must meet to be fit for people to live in. A house meets the tolerable standard if:

- it is structurally stable
- it is free from rising or penetrating damp
- it has satisfactory access to all external doors and outbuildings
- it has satisfactory lighting
- heating
- ventilation
- drinking water supply

- cooking facilities (this means gas or electricity supply, not lack of appliance)
- drainage, for rainwater and from kitchen and bathroom fittings

A house must also have all the standard amenities, which are:

- a fixed bath or shower
- a wash-hand basin
- a sink
- all with hot and cold water supply, and
- a toilet

Points will only be awarded if a copy of relevant notices from the Council are provided confirming that the property does not meet the tolerable standard.

## 5.2 Occupying Overcrowded Houses/ Large Families

- A bedroom should NOT be shared in the following circumstances:
  - Persons of different gender (not a couple), one of whom is age 10 or over
  - Persons of the same gender (not a couple), one of whom is age 16 or over
  - Two people of the same gender (not a couple) of different generations
  - Different families e.g. cousins
  - More than two children
- Two people of any gender or age should not share a single bedroom.
- The living room/bedroom of a studio flat counts as a living room, therefore, an applicant who lives in a studio flat will be seen as having NO BEDROOMS.
- If an additional bedroom is required to accommodate medical appliances e.g. dialysis machine, overcrowding points will be awarded points as overcrowded by 1 room.

### Category A

Applicants whose family increases in size and their current accommodation is too small.

### Category B

Applicants sharing accommodation with another family.

It will be considered to be overcrowded where an applicant is staying care of friends or relatives temporarily and there is no bedroom for their sole use.

## 5.3 Living Under Unsatisfactory Housing Conditions

### 5.3.1 *Medical Circumstances (Mobility)*

The Association only awards medical circumstances points for mobility issues.

This only applies to applicants with long term or permanent illnesses.

**Only ground floor, or accommodation with lift access, will be offered to applicants with medical circumstances points.**

Points will be awarded to applicants who currently reside in an upper flat (unless it can be accessed via a ramp or by a lift) or live in accommodation with internal stairs and their medical condition means they can only negotiate stairs with extreme difficulty or not at all and their mobility would be improved by moving to ground floor accommodation or upper floor accommodation served by a lift.

Where an applicant stays in ground floor accommodation where there are more than 2 stairs leading to the main door of their property or more than 2 internal stairs, this will be considered as accommodation in an upper floor.

### 5.3.2 *Harassment / Abuse*

The safety of an applicant is paramount and in all cases the applicant will be advised and encouraged to contact agencies who can give assistance, for example Women's Aid, Racial Equality Councils, Police, Social Work Services and relevant housing advice agencies and 3<sup>rd</sup> party centres.

Confidentiality will be observed and is crucial to ensure safety. The Association will not contact and/or provide information to other agencies or individuals without permission. We will never contact the alleged perpetrators which will include other members of the household where the claims are of domestic violence or abuse.

We will deal with all claims of harassment and abuse sensitively and provide support and assistance to the person.

The Association will consider applications from applicants who are victims of harassment or hate crime. Harassment and abuse of any kind is extremely serious and can have a detrimental effect on the quality of life and at worst, be life threatening. Claims of this nature will always be taken seriously with safety being paramount.

#### *Existing Govan Housing Association Tenants*

##### Unable to Continue to reside

Where the applicant confirms that they are unable to continue to reside in their home due to harassment, emergency re-housing will be sought. The Association will seek the assistance of the Homeless Caseworker Team of the Local Authority, Glasgow City Council to provide temporary accommodation. They will undertake a full assessment of the applicant's situation under the provisions of the Homeless Persons legislation, with a view of providing alternative re-housing.

The Housing Officer will assist their assessment of the applicant's situation where they have previously resided in the Greater Govan area. They will forward a report to the Caseworker within 48 hours outlining their knowledge of the situation and confirming any further investigations. These further investigations could include a full investigation into the alleged harassment and abuse and request for police or social services reports.

##### Able to Continue to Reside

In the event that the applicant can continue to reside in their home or can reside temporarily with friends or family and they are clearly suffering from harassment, the Association will consult them on their prospects of re-housing, which may include: -

- Move within the area.

- Where an applicant who is experiencing harassment or abuse lives in the Greater Govan area and the situation could be resolved with a move within the area they will be considered for a Management Transfer.
- Move out with the area
  - Where an applicant who is experiencing harassment or abuse lives in the Greater Govan area and the situation can only be resolved with a move outwith the area, the Association will pursue a referral to another RSL.

#### *Non Govan Housing Association Tenants*

Where an applicant, who is a tenant of another RSL makes a direct waiting list application to the Association and claims to be experiencing harassment or abuse, we will encourage the applicant to make contact with their own landlord. They should be advised that if established their landlord could refer their case for consideration as a Housing Association referral.

Where an applicant is not a tenant and claims to be experiencing harassment, they will be required to provide information to support their claims of harassment.

#### 5.4 To Homeless Persons And Persons Threatened With Homelessness (Within The Meaning Of Part II Of The Housing (Scotland) Act 1987, As Amended By The 2001 Act).

Local Authorities have a legal duty to help people who are homeless or threatened with homelessness. In carrying out these duties, GCC may require Govan HA to provide accommodation for a person found to be homeless under Section 5 of the Housing (Scotland) Act 2001. We must comply with the request unless we have good reason for not doing so.

All applicants applying for housing directly to the Association who are homeless or potentially homeless will be encouraged to seek advice and support on their options for housing from Glasgow City Council's Homeless Persons Casework Team.

Applicants will be awarded Threatened with Homelessness points if they will be homeless within 2 months of their application in any of the following circumstances.

- Where an applicant is in tied accommodation which they are required to leave. Points will only be awarded where the applicant has through no fault of their own had to vacate tied accommodation, for example redundancy, retirement, medical retirement, deletion of job / post etc. No points will be awarded where the applicant has to vacate tied accommodation through his / her conduct, for example dismissal on conduct grounds.
- Applicants living in mobile homes, boats, caravans or other movable structures that have no place where they are legally entitled to live in them.
- Applicants who are subject to notice to quit from the owner or tenant of the accommodation. This includes 3<sup>rd</sup> round succession applicants. Applicants will not be eligible for points where they have made themselves intentionally homeless, because of, for example, rent arrears or anti-social behaviour.
- Applicants who have a Short Assured tenancy with a private landlord and have been served with a Notice to Quit.

- It has been determined that repossession of the applicant's tenancy or owner-occupied property is inevitable.
- Applicants living in supported accommodation, for example Richmond Fellowship, Simon Community etc.
- Where an applicant's home will be demolished by their landlord or repossessed through no fault of their own.

## 5.5 Social Consideration

**Applicants must currently live OUTSIDE the G51 postcode area**

### 5.5.1 *Taking Up And Sustaining Employment*

- To assist in avoiding inappropriate concentrations of household type, for example unduly high proportion of vulnerable people in one area, estate, street or close, a proportion of our allocations will be made to applicants who are moving into the area to take up or sustain employment.

### 5.5.2 *Moving To Be Near Full Time Education / Training*

- Points will be awarded to applicants who are moving into the area to take up or continue full time education or training.

### 5.5.3 *Hospital Attendance*

- Points will be awarded if applicants are required to attend a hospital for **essential AND prolonged medical treatment** e.g. kidney dialysis

**Applicants will require their GP, Medical Practitioner, hospital consultant Community Psychiatric Nurse, employer etc. to confirm that they are moving to give/receive support or take up employment.**

### 5.5.4 *Family Support*

- *Consideration will be given where the social support and / or medical needs of the applicant or members of his/her family would be **significantly enhanced** by moving into the Association's area of operation.*

### 5.5.5 *Sharing Amenities*

Points will be awarded to an applicant who shares amenities, such as a kitchen and/or bathroom, with anyone other than the **household members** stated on the application form. This includes adult children wishing to have their own tenancy but have not been asked to leave the family home.

### 5.5.6 *Transfer Within Close*

Existing Govan HA tenants who are adequately housed in accordance with this policy can request a transfer from their existing property to another flat in the same close. The flats must be the same apartment size but can be on a different floor level. For requests to transfer to a ground floor flat, this



will only be considered where there are no applicants with needs points queuing for a ground floor flat. If more than one application is made for the same flat, it will be allocated in date order of the applications.

### 5.5.7 Aspirational Moves

The Association recognises that some tenants have no apparent housing need for a change of house as outlined in the policy but may wish to move to an Association house they aspire to. Applicants on this list must have held a tenancy with the Association for a minimum of 5 years to be eligible for an application on aspirational grounds. Applicants on this list will be considered in the order in which the Association receives them. This category will not exceed 5% of the annual number of lets.

### 5.6 Points Award

Description	Detail	Points
<b>Homeless Persons And Persons Threatened With Homelessness (Within The Meaning Of Part II Of The Housing (Scotland) Act 1987, As Amended By The 2001 Act).</b>		
	Statutory Homeless (Section 5 Referral)	60
	Homeless	30
	Threatened with Homelessness / Insecurity of Tenure	25
<b>Occupying Houses Which Do Not Meet The Tolerable Standard</b>		20
<b>Occupying Overcrowded Houses/Large Families and family increases in size</b>		
	Overcrowded by 1 room	15
	Overcrowded by 2 rooms	17
	Overcrowded by 3 or more rooms	19
	Overcrowded and sharing accommodation with other family	21
Medical Circumstances	(Mobility)	1-22
Harassment		22
Moving To Be Near Full Time Education / Training		10
Taking Up And Sustaining Employment		10
Hospital Attendance		10
Family Support		5
<b>Sharing Amenities</b>		
	Children leaving family home	8
	Not Overcrowded but sharing accommodation with other family	8

<b>Existing Govan HA tenants</b>		
<b>Under Occupation</b>	Under occupying by 1 room	13
	Under occupying by 2 or more rooms	14
<b>Aspirational Moves</b>	Transfer within close	1
	No housing need	1

If more than one applicant has the same number of points, their applications will be prioritised by date of application.

## 6.0 TARGETS

6.1 To assist us in achieving balanced and sustainable communities, while taking into consideration reasonable preference, we will operate a target system. These targets will be reviewed annually to reflect current priorities.

6.2 To establish the targets, the Association has analysed information from the following sources:

- Current waiting list
- Historical lets
- Homelessness Protocol
- Good Practice Guidance

6.3 The targets are not absolute figures that must be achieved. They are indicative percentages to help us to achieve a balanced and sustainable community.

## 7.0 OTHER ROUTES INTO HOUSING

### 7.1 Joint Tenancies

A tenant can apply for a joint tenancy with any person that has occupied their home as their only or principal home at the time of the application (or is intended to be). The written request should be in the form of a completed Joint Tenancy Application Form.

While we will not unreasonably refuse permission for a joint tenancy, reasonable grounds for refusing permission include: -

- we have served a notice on the tenant warning that we may seek eviction on certain grounds because of their conduct;
- we have obtained an order for eviction;
- the proposed change would lead to the criminal offence of overcrowding;
- We intend to carry out work on the house (or the building of which the house forms part) which would affect the part of the house connected with the proposed change.
- The prospective joint tenant is ineligible for a tenancy where they fail to comply with the conditions as outlined in section 4.7 of this policy Cancellation and Suspension of Applicants
- The prospective joint tenant has been: -
  - served with an ASBO
  - evicted for anti-social behaviour in the last three years

### 7.2 Mutual Exchange

Section 33 of the Housing (Scotland) Act 2001 gives a tenant the right to exchange their house with another tenant, providing that both applicants are tenants and have a Scottish Secure Tenancy and the tenant(s) have received consent from their landlord(s).

Applicants can check the mutual exchange register held in the Association's office, as well as apply for their details to be added to the register.

Tenants who wish to mutually exchange their home must complete a Mutual Exchange Application Form. Both parties require to complete this form prior to the exchange being considered.

Tenants who wish to transfer with a tenant of a Fully Mutual Co-operative must be agreeable to become a member of the housing co-operative when the exchange takes effect.

Tenants must terminate their existing tenancy prior to signing the Scottish Secure Tenancy with their new landlord.

We will not unreasonably refuse our consent for a mutual exchange application, reasonable grounds for refusal are as listed: -

- A Notice of Proceedings for Recovery of Possession has been served on the tenant under Section 14 of the Housing (Scotland) Act 2001 for grounds listed in paragraphs 1 to 7 of that Act.
- An order for recovery of possession of the house has been made against the tenant under section 16 (2) of the Housing (Scotland) Act 2001
- The house was provided by the Association in connection with the tenant's employment.
- The house has been designed or adapted for occupation by a person whose special needs require accommodation of the kind provided by the house and if the exchange took place, there would no longer be a person with such needs occupying the house.
- The accommodation in the other house
  - is substantially larger than is required by the household
  - is not suitable to the needs of the tenant or the tenant's family
- the exchange would lead to overcrowding as defined in section 139 of the Housing (Scotland) Act 1987.

### 7.3 Mobility Schemes

Homeswapper ([www.homeSwapper.co.uk](http://www.homeSwapper.co.uk)) is a national database that holds information on tenants of Registered Social Landlords and local authorities who would like to exchange their tenancy with another tenant. The Association does not participate in the scheme but for a small monthly fee people can access the Homeswapper website directly.

### 7.4 Succession To Tenancy

In the event of the death of the tenant, the Association will consider applications from occupants of the household to succeed to the tenancy.

They will be considered on the basis of the following levels of priority: -

#### *Level One*

- The tenant's husband or wife or co-habitee if the house was their only or principal home at the time of death; OR
- a joint tenant, if the house was his or her only or principal home for six months at the time of the tenant's death.

In the case of a co-habitee, she/he must have occupied the house as his/her only or principal home for at least 6 months immediately before the tenant's death.

### *Level Two*

If no-one qualifies at Level One, or a qualified person does not want the tenancy, it may be inherited by a member of the tenant's family as long as:

- he or she is aged at least 16 at the date of death; and
- the house was his or her only or principal home at the date of death.

### *Level Three*

If no-one qualifies at Level One or Level Two, or a qualified person does not want the tenancy, it will be inherited by a carer as long as:

- he or she is aged at least 16 at the date of death; and
- the house was his or her only or principal home at the date of death; and
- he or she gave up another only or principal home before the death of the tenant. and
- he or she is providing, or has provided, care for the tenant or a member of the tenant's family.

In all levels if more than one person qualifies for the tenancy, they must decide among themselves who should get the tenancy. If they cannot agree, within 4 weeks of either

- a. The death of the tenant or;
- b. The date on which the person in question is notified of their right to succeed to the tenancy; we will decide who will succeed to the tenancy.

Where the house has been designed or substantially adapted for a person with special needs, if at the first succession someone qualifies for the tenancy at Level Two or Three and does not have special needs requiring accommodation of that kind, that person will not have the right to succeed to the house but does have the right to be provided with suitable alternative accommodation by the Association.

Where, in the case of such a property, at the point of a second succession someone qualifies at Level One, Level Two or Level Three and does not have special needs requiring accommodation of that kind, we have the right to terminate the tenancy and offer that person suitable alternative accommodation

If someone qualifies for the tenancy but does not want it, they should tell us in writing within four weeks of the death and leave the house within three months. Rent will be charged only for the actual period of occupation.

The tenancy can only be inherited twice under the provisions of the Scottish Secure Tenancy Agreement. If the tenancy has already been inherited twice, the third death will normally end the tenancy. This will not happen if there is a surviving joint tenant whose Scottish Secure Tenancy will continue. However, if there is still a person in the house who would otherwise qualify to inherit the tenancy under the above paragraphs, the tenancy will continue for a maximum of 6 months after the last death. The tenancy will not be either a Scottish Secure Tenancy or a Short Scottish Secure Tenancy for that period.

## 7.5 Assignations

The tenant can assign their tenancy to any person that has occupied their home as their only or principal home for at least six months before the date of the written request. The written request should be in the form of a completed Assignment Application Form.

We will not unreasonably refuse permission to assign the tenancy, reasonable grounds for refusing permission include: -

- we have served a notice on the tenant warning that we may seek eviction on certain grounds because of their conduct;
- we have obtained an order for eviction;
- the proposed change would lead to the criminal offence of overcrowding;
- we intend to carry out work on the house (or the building of which the house forms part) which would affect the part of the house connected with the proposed change.

## 7.6 Sub-lets

If a tenant wants to sub-let part or all of the house, they must complete a Sub-Let Application Form. They must provide the following information: -

- Who they want to sub-let the property to
- The amount of rent and any other payments (including a deposit) they propose to charge (if any)
- When they want the sub-let to take place.
- The tenancy/occupancy terms on which they intend to sub-let (prior to granting consent, we will require sub-lessees to be provided with a written agreement and that the terms of the agreement are acceptable to the Association).

## 7.7 Lodgers

If a tenant wants to take in lodgers, a Permission to Reside Form must be completed. The tenant must provide the following information: -

- Who they want to take in as lodger
- The amount of rent or other payments (including deposit) they propose to charge (if any) in the case of taking in a lodger
- When the lodging will take place.

## 7.8 Exceptional Circumstances

The Association will on occasions be required to consider an application that does not fall within any of the above categories. These applicants must have an exceptional level of need, greater than others on the list. An example of this would be where an applicant is experiencing harassment or abuse and the situation could be resolved with a move within the Association's area of operation. In these exceptional cases, the Housing Manager, will consider the circumstances and award points as appropriate.

The Housing Manager will require to be informed of all incidents/events and given full details of why the application should be considered under the exceptional circumstance category, to allow him/her to and undertake a thorough investigation and award points as appropriate to any such case.

## **SECTION 5 - AUDITING, MONITORING AND REVIEW OF POLICY**

### **1.0 Auditing**

1.1 The Association has a commitment to ensure that the tenant selection and lettings procedure are carried out fairly, effectively and efficiently. In order to ensure that the allocation policy is being followed in a correct, fair and efficient manner we will undertake an audit of the allocations process. This self assessment audit will measure our compliance with the provisions of our policies, procedures, legislative and good practice requirements. It will ensure that allocations have an audit trail that are clear and can account for why each allocation was made.

### **2.0 Monitoring & Reporting**

2.1 The Housing Manager will present information on the allocations process to the Management Committee on a quarterly basis, which will include: -

- Demand information by size of property
- Performance against Targets in the allocations process
- Origin of applicants on the waiting lists and quarterly lettings
- Number of applicants who identify they have a disability on the waiting lists and quarterly lettings
- Gender of applicants on the waiting lists and quarterly lettings
- Number of Void properties
- Length of vacancies
- Lost rent information

2.2 We will use this monitoring information to inform strategies to improve the allocations process, as well as ensure our policy continues to meet the needs of applicants. This information will also inform demand for all parts of our area and the review of our policy and procedures in the allocations and other relevant procedures, for example empty homes.

2.3 We will also use other methods to gather information on our performance. These will include questionnaires to new tenants on the allocation process and a termination of tenancy questionnaire which encourages tenants leaving our properties to give us reasons for ending their tenancy and leaving the area.

### **3.0 Review**

3.1 This Policy is scheduled for review in March 2013 and will take account of: -

- Legislative, regulatory and good practice requirements
- Association performance
- the views of tenants, staff and our members of the Management Committee.

## SECTION 7-COMPLAINTS AND OUTCOMES

### 1.0 COMPLAINTS

- 1.1 Details of how to complain are provided in our Complaints Policy, a copy of which can be obtained from our office or downloaded from our website. The applicant may be required to provide evidence to support their complaint.
- 1.2 We have set time scales for dealing with both appeals and complaints to ensure that applicants have their cases dealt with promptly. Applicants also have the right to attend meetings where their case is being discussed, including the right to bring representatives.
- 1.3 Where matters are not resolved, we will provide details of other appeal options. For example, we will advise applicants of their right to contact the Scottish Public Services Ombudsman (4 Melville Street Edinburgh EH3 7NS; Telephone 0800 377 7330 to seek other independent advice.

## SECTION 8 - HOUSING INFORMATION AND ADVICE

1.0 We aim to ensure that applicants receive high quality information and advice which enables them to make informed choices about their housing. We provide information and advice on:

- How to apply for housing and how the application will be dealt with
- Timescales for processing and assessing applications
- The role of the applicant and what information they are expected to provide
- Applicants' realistic chances of obtaining a tenancy from the Association
- Other housing options
- Income, Benefit and Housing Benefit advice

### LOCAL HOUSING ASSOCIATIONS

<i>Name</i>		<i>Address</i>	<i>Tel No.</i>
Elderpark Association	Housing	31, Garmouth Street, Govan, Glasgow G51 3PR	0141-440-2244
Linthouse Association	Housing	1 Cressy Street, Glasgow G51 4RB	0141-440-0566
Clydeview Partnership	Housing	1 Dava Street, Govan, Glasgow G51	0141-274-8720
Southside Association	Housing	553 Shields Road, Glasgow G41 2RW	0141-422-1112
Partick Association	Housing	10 Mansfield Street, Glasgow G11 5QP	0141-357-3773
Whiteinch & Scotstoun Housing Association		1, Northinch Court, Glasgow G14 OUG	0141-959-2552
Glasgow Association	Housing	539, Mossspark Boulevard, Glasgow G52 1SB	0141-274-7570

Further information on Housing Associations is located in the Yellow Pages and on our website. [www.govanha.org.uk](http://www.govanha.org.uk)

### **Homelessness Services**

The Hamish Allan Centre 180 Centre Street Tradeston Glasgow G5 8EE Freephone 0800 838 502 Open every day of the year, 24 hours a day	<b>South West Community Casework Team</b> 27 Brockburn Road Pollok Glasgow G53 3BG Phone: 0141 276 6180 Fax: 0141 276 8288
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### **Preventing Homelessness**

South West Area Social Work Services Pavilion One Rowan Business Park 5 Ardlaw Street Glasgow G51 3RR Phone: 0141 276 8700 Fax: 0141 276 8940
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Monday to Thursday 8:45am – 4:45pm  
Friday 8:45am – 3:55pm  
Emergency out of hours service: Freephone 0800 811505

**Glasgow Women's Aid**

4<sup>th</sup> Floor

30 Bell Street

Glasgow

G1 1LG

0141 553 2022

Drop In - Monday to Friday 9:30am – 3:45pm, except Wednesdays 9:30am – 1:00pm

Phone – Monday to Friday 9:30am – 5:00pm, except Wednesdays 9:30am – 1:00pm

**Shelter Advice Line**

0808 800 4444: Lines open between 9am and 5pm Monday to Friday

[www.scotland.shelter.org.uk](http://www.scotland.shelter.org.uk)

## Appendix 1 –RELEVANT LEGISLATION

The following is a brief summary of the legislation that affects the allocation of properties: -

### 1.0 Housing (Scotland) Act 2001

The allocations policy adheres to the Housing (Scotland) Act 2001. The policy contains guidance on admission to its housing lists, how properties are allocated, allows for the transfer of tenants to other landlords, and allows for the exchange of houses. The policy is to be made accessible to the public in its entirety and in summary form. The Association must make sure the policy is circulated to Communities Scotland and the Local Authority, Glasgow City Council.

*Part 1 of Schedule 7 of the Housing (Scotland) Act 2001) places certain restrictions on housing associations to prevent the possibility of committee or staff member abusing their position. The law restricts the payments and benefits that the housing association can grant to committee members, employees, close relatives of committee members or employees, any one who has been a committee member or employee in the previous 12 months, and any business trading for profit which any such people own or manage.*

When involved in allocating tenancies, staff and members involved in the process must read part 1 of Schedule 7 and ensure there is no conflict of interests. All staff and committee members must be familiar with the Schedule 7 Policy. If they are in any doubt or find themselves in a position of a conflict of interests they must bring this to the attention of the Depute Director.

Section 5 of the Act imposes a duty on the Association to house homeless applicants referred to us by the Local Authority, unless we have good reason not to.

Section 54 of the Act obliges Housing Associations to consult with tenants, service users and Registered Tenants Organisations regarding significant changes in the Housing Management service.

Section 106 of the Act requires the Association to 'act in a manner which encourages equal opportunities and, in particular, the observance of equal opportunities requirements. Equal opportunities are widely defined as: -

'the prevention, elimination or regulation on discrimination between two persons on the grounds of disability, age, sexual preference, language or social origin or other personal attributes including beliefs or opinions such as religious beliefs and political opinions'.

### 2.0 Equalities Act 2010

The Association is striving to be an equal opportunity organisation and will abide by the Equalities Act and seek to implement the provisions of the Equalities and Human Rights Commission guidance as far as practicable. This means that:

In the provision of housing services and employment of staff the Association will seek to ensure equality of opportunity and treatment for all persons.

No person or group of persons applying for housing will be treated less favorably than another person or group of persons because of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, gender reassignment, language, social origin, pregnancy or maternity grounds or family circumstances, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions. The Association will promote Equality of Opportunity.

If it is requested the Policy will be made available in Braille, on tape or in other languages.

### 3.0 Matrimonial Homes (Family Protection) (Scotland) Act 1981

The Matrimonial Homes (Family Protection) (Scotland) Act 1981 must be adhered to when providing advice to tenants on the statutory occupancy rights to their home. This legislation introduced rights for non-entitled spouses (non-tenants) where they have:

- 3.1 A right to remain in the family home;
- 3.2 A right to return to the family home if excluded from it, to enter and occupy the family home;
- 3.3 A right to pay rent and require a landlord to carry out his duty to maintain the home
- 3.4 The consent of the non-entitled spouse must be sought for any transaction which would affect his/her occupancy rights e.g. termination of tenancy.
- 3.5 A right to defence against repossession if the tenant fails to do so him/her self.

### 4.0 Data Protection Act 1998

The Association will adhere to the Data Protection Act 1998 in order to ensure that information provided by an applicant or sought by the Association is relevant only to assessing their housing need and is treated in the strictest confidence.

Under the provisions of the Data Protection Act 1998 individuals are entitled to request personal data which is held by the Association. The Association may make a charge covering the administrative costs of providing this information.

### 5.0 Human Rights Act 1998

In accordance with articles 8 and 14 of the Human Rights Act 1998, the allocations policy ensures that respect for applicants' private and family life is given when assessing housing need. Actions that interfere with these rights may be open to challenge.

In accordance with article 8 of the Act, applicants will not be banned from housing lists. However, their applications might be subject to deferment from housing allocation as per the terms of the Housing (Scotland) Act 2001 and the allocation policy. Any decisions to defer a housing allocation will be thoroughly documented.

#### 8) Asylum and Immigration Act 1996

Under the Act the Association will make sure that any applicants it houses are eligible for housing.

**The Association will observe the terms of all of the above legislation and strive to implement the policy and procedures to meet all legal requirements. In addition this policy takes account of good practice documents such as Performance Standards for Social Landlords (November 2001) and the Scottish Federation of Housing Associations' Raising Standards document, chapter 1.**