

Rural Homes for Rent

Model Allocations Policy

1 Policy Aims and Objectives

The Rural Homes for Rent grant is aimed at assisting those who are identified in the local authority's local housing strategy as being in housing need to access affordable housing for rent in rural communities. This premise will form the basis of the allocations policy developed in line with this good practice, and agreed by the landlord, local authority and grant funder prior to initial allocation. Central to this will be the aim to meet locally identified housing needs within the community, commonly referred to as a Local Lettings Initiative.

This policy applies to the allocation of properties available for let under the Rural Homes for Rent grant scheme¹, and draws on performance standards for allocations set by The Scottish Housing Regulator as well as the SFHA's Raising Standards in Housing – Allocations (Revised)²

2. General Principles

The policy will apply to allocations of properties at [enter Rural Homes for Rent Scheme details], by [enter landlord details] including nomination agreements with [enter local authority and /or housing association].

Allocation of rented houses through the grant scheme will align with the over arching principles contained within the SFHA Standards:

2.1 Housing need

Landlords should prioritise allocations of property to people with high levels of housing need, without discriminatory restrictions.

2.2 Choice and Empowerment

Landlords should seek to maximise the opportunities for greater access to housing and the ability of applicants to make informed choices through the provision of good information and advice.

2.3 Sustainable Communities

Landlords should make the best use of available stock and use the allocations process to assist in the creation and maintenance of communities where people want to live and remain.

2.4 Partnerships

Landlords should work in partnership with other bodies and organisations where possible.

2.5 Equality of Opportunity

¹ The policy is equally applicable to other private rented stock, and could be adopted by the private landlord to ensure that the allocation of all properties let on an affordable basis and contributing to meeting local housing need is carried out within a clear and transparent framework.

² Referred to in remainder of the document as the SFHA Standards.

Allocations policies and practices should not discriminate against any individual, household or group on the grounds of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or other personal attributes, including beliefs or opinions such as religious beliefs or political opinions.

2.6 Accountability

Landlords should be accountable to the tenants and communities they work within for allocations policies and processes.

2.7 Compliance

Landlords should comply with the good practice contained within this model policy.

2.8 Customer Service

Good, open communications with applicants should be observed at all stages of the allocations process from the initial enquiry onwards. This should include appropriate observation of confidentiality.

2.9 Audit Trails

Through appropriate record keeping, the landlord should maintain audit trails to enable them to demonstrate how and why any given let was made to a particular household, having due regard to data protection legislation. The overall allocations process should be transparent both to outside agencies and to people whose applications are unsuccessful.

2.10 Monitoring and Review

Results of the allocations process should be regularly monitored and reported to the Scottish Government.³

3. Partnership Working to Meet Housing Needs

3.1 General Principles

[enter landlord details] will work with [enter LA/Park Authority], the Scottish Government and other agencies to meet housing need in [enter locality or area.] The allocations policy will align with housing need identified through the Local Housing Strategy's Housing Need and Demand Assessment, and with any community based housing needs surveys carried out.

3.2 Nominations

3.2.1 [enter landlord] details will assist [enter LA/Park Authority] in meeting housing need by entering into a formal nomination agreement, which shall apply to [enter %]⁴ of allocations at [enter scheme details] each year.

³ Whilst there is no statutory requirement for private landlords to adhere to the principles outlined within this model allocations policy, compliance with the allocations policy good practice is a key part of the grant conditions. Therefore failure to comply with the good practice standards could constitute a breach of grant conditions by the landlord.

⁴ This should reflect the level referred to in Section 3 of the Nominations Protocol Agreement, and must be at least 50%.

3.2.2 On receipt of a nomination from [enter LA or HA as per nomination agreement], housing needs will be assessed and prioritised in accordance with the principles outlined within this policy for other applicants.

3.3 Common Housing Registers

3.3.1 Where a Common Housing Register exists, and the landlord has been admitted entry and agreed to participate, the landlord will not hold his own housing list.

3.3.2 Where the landlord is part of a Common Housing Register he is not required to have a common allocation policy, and can make allocations on the basis of the principles outlined within this policy.

4. The Housing List

4.1 General Principles

In accordance, with The Scottish Housing Regulator's Activity Standard AS1.1 Access to Housing which states "We ensure that people have fair and open access to our housing list and assessment process. We work with others to maximise and simplify access routes into our housing", the housing lists will be open to all and no one making an enquiry about applying for a house should be discouraged from making an application regardless of their individual circumstances or likelihood of being allocated a house.

4.1.1 Ownership of list

The list shall be held by [insert private landlord details].

4.1.2 Access to the list

All applicants over the age of 16 who submit a completed form will be admitted to the list, following which their application will be assessed in line with the priorities outlined within this policy.

4.1.3 Exclusions

Applicants cannot be excluded from the housing list on grounds such as rent arrears or anti-social behaviour. However, an application may be suspended in line with Section 4.5.

4.2 Applications Forms

4.2.1 Applications will be made using the standard application form agreed by the Scottish Government. The application form will contain information on where to return the form, what to enclose with it in terms of supporting information and what the applicant can expect next to make the process clear.

4.2.2 The application form will be accompanied by information on short assured tenancies and tenant's and landlord's rights and responsibilities.

4.2.3 Housing applications forms should also include an assurance that any personal information revealed by an applicant will be treated as completely confidential.

4.3 Joint Applicants

Joint applications will be accepted from two or more persons who wish to share a tenancy.

4.4 False Information

Applicants who provide false or misleading information that materially affects both the priority awarded to their application and any subsequent allocation to them will have their application cancelled.

4.5 Suspensions

Suspension from a housing list means that applicants accepted onto the housing list will not be offered accommodation whilst their application is suspended.⁵ [enter landlord details] may suspend applicants from the housing list only on the grounds listed:

- Arrears of rent or other tenancy debt.
- History of anti-social behaviour

4.5.1 If an applicant has rent arrears or arrears for rechargeable repairs which they incurred while a tenant of a private landlord, Local Authority or another RSL, they will be suspended from the housing list unless:

- The debt has been repaid in full or
- The debt is more than 5 years old and is not being pursued by the landlord or
- An arrangement has been made to repay the debt and that arrangement has been adhered to for at least 3 months and is continuing to be met or
- The debt was less than 1/12 of their annual rent.

4.5.2 Applicants may be suspended from the housing list where:

- The applicant, or any member of their household, has been evicted for anti-social behaviour in the last 3 years or
- The applicant, or any member of their household, has had an ASBO granted against them in the last 3 years relating to their conduct in a previous home or
- The applicant, or any member of their household, has been evicted for causing substantial damage to their previous landlord's property within the last 3 years.

4.5.3 [enter any other reason for suspension agreed with local authority and grant funder e.g conviction for wildlife crime within last 3 years, failure to remove etc]

4.5.4 The landlord may decide not to suspend an applicant where in the view of the landlord the needs of the household outweigh other concerns.⁶

4.5.5 Where an applicant is suspended, the applicant will be advise in writing of this decision and the reasons for suspension.

4.5.6 The suspension will be reviewed on a regular basis, and will be lifted if circumstances change e.g the tenant enters into, and adheres to, a repayment agreement for rent arrears.

4.6 References

4.6.1 Where the applicant has a current tenancy or has held a tenancy within the last 3 years, [enter landlord details] reserves the right to seek tenancy references with the applicants permission, regarding the conduct of the present or previous tenancy.

⁵ This policy is developed in line with the SHFA Standards Section 3.4.

⁶ The landlord may take into account: the extent to which the conduct is a consequence of acts of omission of people other than the tenants; the nature, frequency and duration of the conduct; and the effect the conduct had on other people.

4.6.2 If the applicant has tenancy related debts with a current or former landlord that equate to more than one month's rent, [enter landlord details] may seek confirmation from the landlord that a repayment arrangement has been made and adhered to.

4.6.3 The references will also take into account other aspects of tenancy conduct.

4.6.4 If permission to seek references is not obtained from the applicant, the landlord may withhold allocation of a tenancy.

4.6.5 If a reference is sought but not returned, or a charge is required before a reference will be provided, then it will be at the landlord's discretion whether or not the allocation is made.

4.7 Application Process and Timescales

4.7.1 The applicant will receive written acknowledgement from the landlord of receipt of their application form within 3 working days.

4.7.2 The applicant will receive confirmation of their acceptance onto the housing list, and details of any decisions regarding suspension within 5 working days of acknowledgment of receipt of their application.

4.8 Reviewing and Monitoring the Housing list

The list should be kept as up to date as possible. The landlord should contact all applicants on an annual basis to ensure that details are still correct and that the applicant wishes to remain on the housing list.⁷

5. Allocation of Housing

5.1 General Principles

5.1.1 [enter landlord details] will allocate properties in line with The Scottish Housing Regulator Performance Standard: AS1.2 – Lettings, and will let houses in a way that gives reasonable preference to those in greatest housing need; make best use of available stock; maximises choice; and helps to sustain communities.

5.1.2 Each application will be assessed according to the information provided in their application form, and housing will be allocated on the basis of housing need. Applications will generally be made to the applicant with the highest need assessed by points at the time a vacancy occurs.⁸

5.2 Assessment of Need

5.2.1 Priority applicant groups

[enter landlord details] will give priority to the following groups:

[insert priority applicant groups as agreed with local authority]⁹¹⁰

⁷ Whilst this may seem onerous for a small development it should make monitoring and evaluation easier and also reduce voids through improving the allocations process.

⁸ See section 5.2 and appendix A.

⁹ The landlord and the local authority can specifically define groups of applicants such as retiring farmers/ farm workers, people moving into the area to take up employment or families with school age children who wish to return to the area following a period living elsewhere for work/study but are unable to access properties on the housing market, people wishing to

Preference will be given to members of the priority groups who:

- Are occupying houses that have been declared as Below Tolerable Standard
- Are occupying overcrowded houses
- Are living in unsatisfactory housing conditions
- Are homeless or threatened with homelessness

5.2.2 Local Lettings Initiative

A key element of the Rural Homes for Rent Grant Scheme, is that it plans to meet identified housing need in the area to ensure the sustainability of the rural community.¹¹

In allocating the properties at [enter development details], [enter landlord details] will seek to promote balanced communities through preferential selection of applicants with particular needs as outlined at 5.2.1, and who currently reside in the area or have a specific reason for wishing to move to the area. This approach will be referred to as a Local Lettings Initiative.¹² After this local criteria has been met, the applications will be assessed in line with the grading system outlined at 5.2.3 and detailed in Appendix 1.

Applicants with no local connection to the area will not be debarred from making applications but applicants who do not reside in the area or have no specific reason for wishing to move into the area will not normally be accorded the priority that will be given to applicants falling into the categories listed above and residing in the area or moving to the area for one of the specific reasons outlined at 5.2.1¹³

5.2.3 Assessing Applications

Housing need will be assessed on the basis of a points system, and points will be awarded as detailed in Appendix 1¹⁴. Points will be awarded for more than one housing need where appropriate. However, points within any one category are mutually exclusive, and the highest points applicable will be awarded where more than one criterion applies.

5.2.4 Where applicants for a vacancy have the same number of points, the priority will be given to the applicant who has been on the housing list for the longest period of time.¹⁵

move to the area to receive or provide support/care. Any nominations made by the LA must comply with these priority categories.

¹⁰ The application form should clearly identify these priority target applicant groups.

¹¹ Sustainability in social housing has been defined as '*people continuing to want to live in the same community, both now and in the future*' ('Key Issues for Sustainable Communities' Derek Long, European Institute for Urban Affairs, John Moores University August 2000. This appears to align with the aims of rural homes for rent.

¹² '*Use of such initiatives may be particularly relevant in the context of small fragile rural communities where, for example, a new build development is being planned to meet identified housing need in the area*' Raising Standards in Housing in Housing, Allocations (Revised) SFHA.

¹³ This approach will also apply to any nominations.

¹⁴ A model points system is included in Appendix A for information. The actual points system should be developed following agreement of the priority target applicant groups and agreed with the local authority as part of the grant application process.

¹⁵ SFHA Standards state " whilst it is generally unacceptable to award points simply for each year on the list (regardless of need), it can be used to determine who receives an offer where applications are otherwise equal."

5.3 Property Size

5.3.1 To ensure that best use is made of stock, an applicant will be allocated a size of property appropriate to their households needs.

5.3.2 The household is defined as all persons included on the application form who indicated that they wish to live together. Expectant mothers will be treated as two or more people dependent on the number of children expected.

5.3.3 Each single applicant will be allocated accommodation with 1 bedroom. A couple will be allocated a 1 bedroom (2 person) property. Each additional adult or couple on the household will be allocated a 1 or 2 person bedroom as appropriate.

5.3.4 If the household includes children, they will be allocated the following minimum bedrooms:

- 1 child one x 1 person bedroom
- Two same sex children under 16 one x 2 person bedroom
- Two different sex children under 8 one x 2 person bedroom
- Two same sex children 16 or over two x 1 person bedrooms
- Two different sex children 8 or over two x 1 person bedrooms

5.3.5 Children for whom custody or regular overnight access¹⁶ has been granted will be included in the household size when assessing the property size required. The landlord may require to see evidence such as a court order to confirm this.

5.4 Offers

5.4.1 A maximum of two offers will be made to an applicant¹⁷

5.4.2 Offers will be made in writing, although the landlord may notify the tenant of the offer by telephone prior to the letter being sent out. The offer letter will contain arrangements for the applicants to view the property, and clear information on rent.

5.4.3 The applicant will be given 5 working days from receipt of the offer letter to consider and respond to the offer.

5.4.4 If the landlord does not receive a response by the end of the 5 working days, then it will be assumed that the applicant has refused the offer.

5.4.5 Where an applicant refuses an offer or does not respond to an offer, the property will be offered to the applicant with the next highest level of housing need.

6. Monitoring and Review

6.1 Monitoring

Landlords will be required to complete GRORE forms for each allocation and return these to the Scottish Government within 28 days of the allocation being made.

6.2 Annual Review

The allocations policy will be reviewed annually at a review meeting between [enter landlord details], [enter LA or HA details] and the [enter relevant SG Regional Team]. This meeting will discuss allocations made, housing list, housing need in the area and any amendments required to the policy.

¹⁶ Regular access is defined as a minimum of 1 night overnight custody per fortnight.

¹⁷ The landlord may vary this with the funders approval.

Prior to the annual meeting [enter landlord details] will provide a summary report to [enter LA or HA details] and the [enter relevant SG Regional Team]. This report will contain information on the total number of lets in the scheme, total number of nomination requests and their outcomes, and number of applicants on the landlord's own housing list.

Appendix 1 – this appendix is for illustrative purposes only. The content and the level of points must be agreed in conjunction with the local authority and the Scottish Government.

Awarding of Points

Points are awarded to applicants on the basis of their housing situation, and their level of housing need. Points are mutually exclusive within each category, but will be awarded for more than one need, where appropriate.

1. Local Lettings Initiative

Resident in the local area	15 points
Wishing to move to the area to take up employment	15 points
Wishing to move to the area to provide or receive family support	15 points
Wishing to move to back to the area but unable to access housing market	10 points

2. Priority Category

This would align with those identified in Section 5.2.1 of the policy
For example:

Retiring Tenant Farmer	10 points
Young people living at home with parents	10 points

3. Insecurity of Tenure

Homeless	15 points
Notice to Quit been served	12 points
Lodging with friends	10 points
Leaving care, supported accommodation or prison	10 points
Living in a caravan	10 points
Living in tied housing	5 points

4. Children In Insecure Housing

Where insecurity of housing points apply and the household contains school age children	2 points
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5. Overcrowding 12 points

6. Relationship breakdown

The applicant is fleeing violence or abuse within the home	15 points
The breakdown has not been abusive but the relationship breakdown may result in applicant losing their home	10 points

7. Harassment

Victim of anti-social behaviour 10 points

Victim of harassment on grounds of race, colour, religion, gender,
Sexuality, disability or age 12 points

Confirmation may be required from other agencies.

8. Property Condition

Property declared Below Tolerable Standard 15 points

House lacking standard amenity – 2 points awarded for each amenity lacking
to a maximum of 14 points

9. Medical Needs

Medical situation could be improved by allocation up to 10 points