



**DERBY CITY COUNCIL**



**HOUSING ALLOCATION POLICY**

**We can give you this information in any other way, style or language that will help you access it. Please contact us on 01332 256483, Minicom 01332 256480.**

French

Nous pouvons vous donner cette information de toute autre manière ainsi que dans tout autre style ou langue qui vous aideront à y accéder. Veuillez nous contacter au 01332 256483 Minicom 01332 256480

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Urdu

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Polish

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Latvian

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Lithuanian

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Slovak

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# 1 Introduction

This Allocation Policy explains the rules that set out how Derby City Council through 'the Derby Homefinder Landlords' (see Section 18 Allocating properties on page 20) allocate social housing properties.

As there are not enough social housing properties in Derby to meet the demand, the Council needs to prioritise applicants so that properties that become available are offered fairly. This document describes the policy in detail – including who qualifies to apply for housing and how we give priority to different applicants based on their housing need. This policy also aims to contribute to the development of 'balanced and sustainable communities'

Derby City Council offers available properties through a 'choice-based lettings' scheme called 'Derby Homefinder'. This aims to give customers more choice in where they live.

The two main parts of Derby Homefinder are:

1. Receiving and processing of applications to go on the Housing Register.
2. Advertising and allocating vacant properties to suitable applicants.

Anyone can make an application to join the Housing Register, but not everyone will qualify to join it.

More information is given on the website [www.derbyhomefinder.org](http://www.derbyhomefinder.org) or in the leaflet 'Your guide to Derby Homefinder', which you can get from any Derby Homes local housing office, the Housing Options Centre, or from the offices of Registered Social Landlords who are partners on the scheme.

Certain people don't qualify for social housing because of

- legal restrictions or
- their circumstances or
- behaviour, which means they are not considered suitable to be given a tenancy.

This Allocation Policy aims to:

- help people in 'housing need' choose where they would like to live
- prevent people from becoming 'statutorily homeless'
- make the best use of the limited social housing available
- make sure the allocation of social housing is open, fair and accountable to applicants
- help create safe, mixed and balanced communities
- shorten the length of time properties are empty between use
- reduce the number of people on the Derby Homefinder scheme who refuse offers
- make sure the policy is flexible enough to address local situations
- create a single point of access to all social housing in the city
- help people who are threatened with homelessness
- help people who are in urgent housing need.

### **This Allocation Policy applies to:**

- new applicants to the Housing Register
- current social housing tenants who want to move to another property.

## **2 Statement of choice**

Through this Allocation Policy, we aim to offer choice to applicants and meet people's housing needs.

## **3 Equalities and diversity statement**

We are committed to promoting equal opportunities, valuing diversity, and tackling 'social exclusion'.

The Council and its partners are committed to doing their best to prevent any form of discrimination, including discrimination on the grounds of:

- age
- disability, including people living with AIDS/HIV
- ethnic or national origin, race or colour
- religion
- gender and gender identity
- sexuality.

## **4 Data protection statement**

We ask applicants on the Derby Homefinder application form to give their permission for the Council to share, where necessary, the information they provide with the Derby Homefinder landlords and other relevant agencies.

We will share information only if the applicant gives permission. However, we may not be able to process an application if the applicant does not give us permission. If you do not want us to share your information, you must tell us why.

You have the right to see the personal information we hold about you. We will use the information you provide for the purpose of housing. We may also use the information for issues of child protection, public protection and for preventing and detecting fraud and other criminal offences. This includes information we hold as paper and electronic records.

If you would like to see your file, please contact Derby City Council's Data Protection Officer on 01332 643232 or email [FOI@derby.gov.uk](mailto:FOI@derby.gov.uk) for an application form.

## **5 This policy and the law it meets**

This Allocation Policy meets the duties of Part VI of the Housing Act 1996, as amended by the Homelessness Act 2002.

Part VI of the Housing Act 1996 covers:

- selecting tenants for local authority properties

- transfers that are requested by local authority tenants
- local authority properties to current tenants of Registered Social Landlords
- nominations that the Council may make to Registered Social Landlords.

The Housing Act 1996, as amended by the Homelessness Act 2002, also sets out the housing circumstances of those applicants to whom we must give 'reasonable preference' to when we decide who will be offered a property.

This Policy takes account of the Allocation of Accommodation Code of Guidance for Local Housing Authorities 2008, Housing and Regeneration Act 2008 and Fair and Flexible Statutory Guidance 2009.

There are instances where this Policy does **not** apply. These include:

- 'Assignments'
- 'Mutual Exchange'
- 'Succession of tenancy'.

For more information about these instances, contact your landlord.

## 6 Housing providers working together

The Council and most of the Registered Social Landlords, also known as housing associations, who have homes to rent in Derby are working together as Derby Homefinder Landlords. They have all agreed to accept nominations and allocate properties through Derby Homefinder.

The Derby Homefinder Landlords are:

- Affinity Sutton
- Anchor Trust
- Derby Homes
- Derwent Living
- Friendship Care and Housing
- Guinness Northern Counties
- Home (up until July 2011)
- Raglan Housing Association
- Riverside Group
- Salvation Army Housing Association
- Tuntum Housing Association
- Spiritia Ltd

This list is correct at March 2011 but could change (see Section 27 Derby Homefinder Landlords Contact Details on page 28) for full addresses and contact details.

## 7 How to apply for the Housing Register and be able to use Derby Homefinder

The quickest way of applying for the Housing Register is to fill in a housing application form online at: **[www.derbyhomefinder.org](http://www.derbyhomefinder.org)**



You can visit any Derby Homes local housing office, the Housing Options Centre or the Council's Customer Contact Centre to fill in the application online (see Section 26 Derby City Council Contact Details page 28 for contact details).

Or you can call 01332 256483 to ask for a paper application form.

Applicants who need help to fill in the form can get help from any Derby Homes local housing office or the Housing Options Centre.

If you want to apply for housing and are an existing Derby Homes tenant please contact Derby Homes. All other applicants contact the Housing Options Centre

## **8 Confirming your details**

You need to give us all the information we ask for with your application so that we can confirm your details. If you don't give us all the information, we won't be able to register or process your application.

We check all applications when they are received. We will make any checks we consider necessary with current and former landlords, and other relevant agencies. We may also check your details with a credit referencing agency. See Section 4 Data protection statement on page 2 for how we use and protect the information you give us.

It's **your** responsibility to give us the proof that we ask for to confirm your details.

Under the Housing Act (1996) and Homelessness Act (2002), it is a criminal offence for anyone to knowingly give false information - or to hold back relevant information if they are reasonably required to give it - on any matter about the allocation of housing.

If you have knowingly given false and/or misleading information on your application form (and at any time while we are processing it), we will cancel your application and you will have to apply again. We may also take legal action against you.

## **9 Processing applications**

We will treat your application as a completed application only when we receive all the information we need from you to process it. Your application date will be the date when you have supplied all the information we have asked from you.

We have to check and confirm that all the information in an application is true before we can make a decision about whether or not you qualify to join the Housing Register. In some cases, we may need more information and to do more checks.

If you do not provide all the information we have requested within 28 days we will cancel your application.

## **10 Contacting you about your housing application**

Once we have received all the information from you and made all our assessments, we will write to you and tell you:

- whether we have accepted your application and if you qualify for housing

- your unique housing application number for you to start looking for properties advertised on Derby Homefinder
- how to use the Derby Homefinder scheme to look for properties
- the Derby Homefinder band we have placed you in
- the number of housing needs you have
- the date we placed you on the Housing Register
- the type and size of properties for which you qualify.

## 11 Qualifying to join the Housing Register

We will consider applications from anyone aged 18 or over. You can make an application in the name of one person or several people. However, we can only accept applications from applicants who qualify – we call these ‘eligible applicants’. We may find applicants don’t qualify to register for social housing because of:

- immigration status
- unacceptable behaviour.

### 11.1 Immigration status

#### 11.1.1 People subject to immigration control

Generally, people who are subject to immigration control **don’t qualify** to register for social housing, **unless** they fall within one of these categories:

This wording is taken from the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006.

- a person who is recorded by the Secretary of State as a refugee within the definition in Article 1 of the Refugee Convention and who has leave to enter or remain in the United Kingdom
- a person —
  - (i) who has exceptional leave to enter or remain in the United Kingdom granted outside the provisions of the Immigration Rules; and
  - (ii) who is not subject to a condition requiring him to maintain and accommodate himself, and any person who is dependent on him, without recourse to public funds
- a person who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland and whose leave to enter or remain in the United Kingdom is not subject to any limitation or condition, unless:
  - (i) that person’s leave to enter or remain in the United Kingdom has been granted on the basis of an undertaking given by his/her sponsor; and
  - (ii) they have been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which his/her sponsor gave the undertaking in respect of him/her, whichever date is the later; and

- (iii) his/her sponsor or, where there is more than one sponsor, at least one of whose sponsors, is still alive
- a person who has humanitarian protection granted under the Immigration Rules

### 11.1.2 People not subject to immigration control

The following people are **not** subject to immigration control:

- British citizens
- Commonwealth citizens with the right of abode
- European Economic Area nationals ("EEA") exercising certain Treaty rights
- Swiss nationals exercising the same Treaty rights
- Family members and some extended family members of those EEA nationals and Swiss nationals exercising the same Treaty rights, and
- Certain people who are exempt from immigration control under the Immigration Acts (diplomats and their family members based in the UK and some military personnel).

[**Note:** the EEA includes all European Union member states and Iceland, Liechtenstein and Norway.]

Generally, people who are not subject to immigration control **do qualify** to register for social housing, **unless** they fall within one of the following categories:

- they are not habitually resident in the Common Travel Area (being United Kingdom, the Channel Isles, the Isle of Man or the Republic of Ireland), or
- their only right of residence in the Common Travel Area derives from their status as:
  - (1) a jobseeker (that is an EEA national who has entered the United Kingdom to seek work)
  - (2) a family member of a person described at (1) above
  - (3) a European Union national who has a right to reside in the United Kingdom for the first three months.

However, the following categories of people **qualify**, whether or not they are habitually resident in the Common Travel Area:

- a worker
- a self-employed person
- a person who is treated as a worker for the purpose of the definition of 'qualified person' in regulation 6(1) of the EEA Regulations pursuant to either —
  - (i) regulation 5 of the Accession Regulations 2004 (application of the 2006 Regulations in relation to accession State worker requiring registration), or
  - (ii) regulation 6 of the Accession Regulations 2006 (right of residence of an accession State national subject to worker authorisation);]
- a person who is the family member of a person specified in one of the three paragraphs above

- a person with a right to reside permanently in the United Kingdom by virtue of regulation 15(c), (d) or (e) of the EEA Regulations
- a person who left the territory of Montserrat after 1 November 1995 because of the effect on that territory of a volcanic eruption;
- a person who is in the United Kingdom as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom;
- during the relevant period, a person who left Lebanon on or after 12 July 2006 because of the armed conflict there; and
- a person who —
  - (i) arrived in Great Britain on or after 28 February 2009 but before 18 March 2011
  - (ii) immediately before arriving in Great Britain had been resident in Zimbabwe, and
  - (iii) before leaving Zimbabwe, had accepted an offer, made by Her Majesty's Government, to assist that person to settle in the United Kingdom

## 11.2 Unacceptable Behaviour

### 11.2.1 Definition

We may exclude applicants from the Housing Register, if we have proof that:

- (i) the applicant, or a member of their household, has been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant of the authority, and
- (ii) in the circumstances at the time their application is considered, they are still unsuitable to be a tenant of the authority because of that behaviour.

The only behaviour which we may regard as unacceptable for these purposes is:

- (i) behaviour of the person concerned which would (if they were a secure tenant) entitle the landlord to a possession order under Section 84 of the Housing Act 1985 (c 68) on any ground mentioned in Part 1 of Schedule 2 to that Act (other than ground 8); or
- (ii) behaviour of a member of their household which would (if they were a person living with a secure tenant) entitle the landlord to such a possession order.

### 11.2.2 Examples

Examples of 'unacceptable behaviour' that are serious enough to make an applicant unsuitable to be a tenant include:

- physical assaults, especially those resulting in physical injury, including domestic violence, which affects the surrounding neighbourhood, and racial harassment
- serious damage to property, including schools, dwellings and cars, for example – arson attacks and windows being smashed

- persistent and offensive verbal abuse, due to a person's religion, ethnicity, sexual orientation, disability, or other factors
- serious disorder, in particular associated with gangs
- the use of dwellings for the cultivation, supply and use of drugs, especially Class A drugs
- persistent and widespread criminal activity such as domestic burglaries and vehicle crime
- very serious and persistent noise nuisance over continuing for long periods of time
- a combination of persistent behaviours, which while lower level within themselves, taken together over time, have a serious negative impact on the quality of life for individuals living in an area
- anyone who is the subject of an Anti-Social Behaviour Order or other civil restraining order and it is believed that they would be a significant risk to the community
- anyone who has been issued with a court order for eviction from a tenancy due to serious anti-social behaviour.

This list is not a complete list.

### **11.3 Assessment for exclusion**

We will assess all applicants on an individual basis at the time of their application.

When we consider excluding someone from the Housing Register, we will take account of:

- any history of anti-social behaviour, and
- evidence of that behaviour and whether it would justify a possession order being made if they were a tenant, and
- their current behaviour or a member of their household's behaviour, at the time of their application.

### **11.4 Community safety**

We will do a 'risk assessment' of applicants with a specific offending history when they first apply and also at the time of any potential offer. See Appendix 6 – Specific offences on page 39 for what we consider a specific offence.

If your application leads us to believe there are risks for community safety or we assess it is detrimental to you, we may refuse you housing in certain areas and we may not consider you for properties you have bid for.

### **11.5 Right to review**

We will tell applicants in writing of any decision to exclude them from the Housing Register and the reasons why.

Applicants have a 'right to request a review' of the decision. We will tell applicants how to 'request a review' when we write to them about the decision to exclude them from the Housing Register.

Applicants seeking a review have a right to submit new information, as well as any representations, in support of that review. The reviewing officer will consider again all of the information put before them, and will consider the facts at the date of the review.

### **11.6 Re-applying**

If we have found an applicant does not qualify on immigration status grounds, they may reapply to the housing register as soon as their immigration status changes.

If we have found an applicant does not qualify due to unacceptable behaviour, they may reapply when they can prove their behaviour has changed and no longer affects their suitability to be a tenant. In these cases, they may reapply to the housing register.

## **12 How we prioritise applicants**

We place applicants in one of four Bands. These are:

- Emergency Band
- A Band
- B Band
- C Band

For the Emergency and C Band, we prioritise applicants according to waiting time. For Bands A and B, we prioritise applicants by:

- (i) housing need
- and
- (ii) waiting time.

We base our assessment of each application on all of the information we receive.

See Appendix 7 – Awarding band and needs on page 40 gives an example of how we assess an application.

### **12.1 How we place applicants in Bands**

There are certain criteria for being placed in each Band. If an applicant meets the criteria in Bands E or C, we will automatically place them in the Band that applies, whether or not they have met any criteria for the other Bands.

If an applicant meets the criteria in Bands A and B, we will place them in Band A.

### **12.2 Right to review**

All applicants have a right to request a review of the decision affecting their banding or housing needs (see Section 23.6 Right to ask for a review on page 26).

## 13 Derby Homefinder Bands

The Bands are:

Emergency Band	A Band	B Band	C Band
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There is a limited number of properties available each year. We aim to allocate a percentage of available properties to each Band. The A and B Bands aim to deal with individual and multiple needs.

The Council, in consultation with the Derby Homefinder Landlords, reserves the right to change every six months the percentage of properties allocated in each Band to meet housing needs within the city.

### 13.1 Emergency Band

We will place you in this Band for one month if Derby City Council has accepted you are 'statutorily homeless'. If you are already on the Housing Register and are placed in the Emergency Band, your waiting time will start again from the date you are placed in the Emergency Band.

### 13.2 Homeless 'final offers'

If, within one month, you have not been successful in getting permanent housing, the Council reserves the right to make you a 'final offer' of suitable housing. We will always try to take account of your preference for an area and type of property. However, due to high housing demand and a lack of supply, this may not always be possible.

We will make any final offer in writing, and state that it is a final offer, and that it discharges our homeless duty.

If you feel that a final offer property is not suitable, you may ask for a review of the offer. You can ask for a review whether or not you accept the final offer.

When reviewing a final offer, we will check that the property:

- is of the right size and type for your family
- is safe for you to live in
- takes account of any special needs you or your family have

and we will check that we have taken into account of any other relevant circumstances you have told us about before we made a decision.

You may refuse a 'final offer' of housing. If you do, the Council's legal duty to find you a new home will change and you will lose your emergency status and be moved to a new Band that reflects your housing need.

If you are thinking about refusing a final offer, you should discuss it first with your Housing Advisor at the Housing Options Centre.

### 13.3 A Band

We will place your application in this Band if we decide that you have an urgent need for housing. The following are examples of what are urgent housing needs:

- Derby City Council has accepted you as 'non-priority need homeless'
- Derby City Council has accepted you as 'intentionally homeless'
- Derby City Council has banned the use of the property you are living in under the terms of the Housing Act 2004 and considers that it is not reasonable for the property to be brought back into use
- Derby City Council's medical adviser has assessed you as having an urgent need to move on medical grounds. This may be because your current housing is having a serious detrimental impact on you or members of your household's health or ability to live independently
- an occupational therapist has assessed you as having a need for an adapted property and your current home cannot be adapted as needed
- you have a recommendation from Adult or Children's services for housing
- you have an urgent need to move on welfare grounds. This includes:
  - needing a property or larger property for fostering
  - your discharge from hospital is prevented by your housing situation
  - there is a likelihood of admission to residential care or hospital if re-housing is not made
  - there is a likelihood of a child being accommodated by the local authority if re-housing is not made
- you, or a member of your household, are at serious risk of harm in your present accommodation. This can include but is not limited to:
  - victims of domestic violence
  - serious racial harassment
  - homophobic attacks
  - witnesses of crime
  - victims of crime
  - serious anti-social behaviour.
- you have an urgent need to move to a particular area where failing to do this would cause hardship to you or other members of your household. This includes for example:
  - it is unreasonable for you to stay at your current accommodation due to exceptional financial hardship (see Appendix 4 – Financial hardship on page 37 for definition)
  - you need to move to either give or receive essential care and support
  - you need to move to get specialised medical treatment
  - you need to move to take up particular work or training opportunities
  - you are currently living in a hostel or supported housing and are ready for independent living.

We will also place you in Band A if you meet either of the following criteria:

- you are currently living in a house owned by a Derby Homefinder Landlord that is too big for your needs, and you are willing to move to a smaller property
- you are a tenant of a Derby Homefinder Landlord and no longer need the adaptations made to your property.



### 13.4 B Band

We will place you in this band if you meet any of the following housing needs:

- Derby City Council's medical adviser or an occupational therapist has assessed you as having a need to move on medical or mobility grounds
- you currently live in an upper floor flat and you have children under 12 years of age
- you need more bed spaces (see Appendix 5 – Lacking bed spaces on page 38 for more information). If you are lacking three or more bed spaces, you will be awarded an additional need
- you are sharing facilities
- you have had a relationship breakdown and are living in the same property as your partner and a move would allow the partner and family to stay in the property
- you are a tenant of a Derby Homefinder Landlord and have received a Compulsory Purchase Order or your property is due for demolition
- you are suffering from anti-social behaviour or harassment
- you have a 'non-urgent housing need' to move. This includes for example a move nearer to:
  - a child's school
  - a place of worship
  - family/friends for non-essential support
  - shops and other local amenities.

### 13.5 C Band

We will place you in this Band if:

- you do not meet the criteria of any of the other bands
- you have no 'local connection' (see Section 13.5.1 'Local connection' on page 12)
- you can afford to get your own housing
- you are considered to be unsuitable to be a tenant because of current or past behaviour (see Section 13.5.3 Behaviour affecting an applicant's suitability to be a tenant on page 13).
- you have unreasonably refused three offers of housing from Derby Homefinder. We will place your application in this Band for a six-month period from the date of the last refusal. This does not apply to Emergency Band applicants. (See Sections 13.1 Emergency Band on page 10 and 13.2 Homeless 'final offers' on page 10 for more information).
- you have made your own circumstances worse.

#### 13.5.1 'Local connection'

The Derby Homefinder Landlords recognise that the needs of local people must take priority over those who live outside Derby and have no local connection with Derby.

If you do not have a local connection with Derby, you can still apply to go on the Housing Register. However, this will mean that we will place your application in Derby Homefinder Band C and your chance of receiving an offer of accommodation is unlikely.

See Appendix 2 - Definition of 'local connection' on page 34 for the definition of 'local connection'.

### **13.5.2 Financial resources to buy a property**

If you have enough resources to buy your own property (including low-cost home ownership schemes), we will place your application in Band C whether or not you meet the criteria in other Bands.

We will base the decision to place someone into this Band on a financial assessment. This will take into account the applicant's income, savings, capital (and/or any interest) in a current home or other property, along with their ability to get a mortgage and the size and type of property they need.

### **13.5.3 Behaviour affecting an applicant's suitability to be a tenant**

We may not consider some applicants suitable to be a tenant because of their current or past behaviour. We will place these applicants in Band C until they can give us evidence that their behaviour has changed.

We will assess each application individually, and it is within the Council's discretion as to whether we will apply this criteria.

Examples of unsuitability to be a tenant are:

- applicants, or members of their household who have a history of anti-social behaviour that affects their suitability to be a tenant but is not serious enough to exclude them from the Housing Register
- applicants who have current and/or previous tenancy-related debt with a Derby Homefinder landlord who have not entered into a formal agreement and have not made regular payments over a six-month period. Regular payments would be monthly or weekly payments. Or cleared a substantial amount of the debt. For example, half the debt has been paid over a shorter period and an agreement has been entered into with the landlord for future payments
- applicants with a specific offending history who cannot show that their behaviour has changed.

### **13.5.4 Tenancy-related debt**

The following make up tenancy-related debt:

- unpaid service charges
- outstanding rechargeable repairs for making good damage, unauthorised repairs or removal of fixtures that the tenant has added without permission
- cleaning a house - a tenant must leave a property clean, tidy and in good decorative order
- cost of clearing any abandoned goods and storage of furniture.

Each case of tenancy-related debt will be looked at individually and we will take into account why the debt happened. It is the applicant's responsibility to tell us when the debt has been cleared or regular payments have been made as detailed above.

### **13.5.5 Refusing offers**

If you unreasonably refuse a third offer of housing, we will reassess your application and will place it in Band C for a six-month period from the date you refuse a third offer. If we have offered you a property which you have bid for and you have refused it (without giving us a reason for refusing it), we will presume that your refusal is unreasonable.

At the end of the six-month period, you can have your application reassessed. If you don't contact us, we will keep your application in Band C.

If we reassess your application and you unreasonably refuse a further third offer of housing, we will place your application in Band C for a further six months.

This does not apply to:

- applicants where auto bids have been placed on their behalf automatically by the Derby Homefinder system
- applicants who are in the Emergency Band.

### **13.5.6 Worsening own circumstances**

We will place applicants who have deliberately worsened their own housing circumstances to qualify for a higher number of housing needs in Band C for 12 months from the date of their change in circumstances.

The following are examples:

- abandoning a previous tenancy
- moving to new housing that we assess is worse than your previous housing without housing advice and good reason
- selling a property or giving notice on a tenancy without getting other housing first
- moving out of an adapted to an un-adapted property and still needing adaptations

At the end of the 12-month period, you will qualify to have your application reassessed. If you don't contact us, we will keep your application in Band C.

## **14 Joint applicants**

Joint applications should be from adults who have a long-term commitment to live together. All joint applicants must agree that they are applying together. Examples of joint applicants are:

- people who want to share a home as partners (including same-sex partners)
- relatives wishing to live together where there is a long-term commitment to a shared home
- friends wishing to live together where there is a long-term commitment to a shared home

- where one of the applicants is a carer for the other and they live with them permanently.

If both joint applicants qualify to hold a tenancy and they accept a tenancy offered to them, they will, in turn, become joint tenants. Joint tenants are individually and jointly responsible for complying with the conditions of the tenancy.

If joint applicants apply from different addresses, we will need to know why they cannot both live at one of those addresses. We will assess the application from the address that gives the application the lowest number of needs.

In some cases, a Derby Homefinder Landlord may offer a household member a joint tenancy (even when they have not applied as joint tenants). They will do this to make the best use of housing available and to protect the security of the people on the application.

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## 15 Guide to size/type of property and size of household

The size and type of property we normally offer will depend on the size of your household. This is only a **general** guide.

	Studio flat	1 bedroom flat	1 bedroom bungalow	1 bedroom house	2 bedroom flat	2 bedroom maisonette	2 bedroom bungalow	2 bedroom house	3 bedroom flat	3 bedroom maisonette	3 bedroom bungalow	3 bedroom house	4 bedroom house	5 bedroom house
Pregnant person/couple					✓	✓								
Single person aged under 60	✓	✓		✓										
Single person aged 60 and over	✓	✓	✓	✓										
Single person or couple expecting a baby								✓						
Single person aged under 60 with access to children		✓												
Joint applicants and couple with no children, aged under 60		✓												
Joint applicants and couple with no children, aged 60 and over				✓										
Joint applicants and couple, aged under 60, with access to children				✓	✓									
Household with one child					✓	✓		✓	✓	✓		✓		
Household with two children of the same sex aged under 10					✓	✓		✓	✓	✓		✓		
Household with two children of the same sex, one or more aged 10 and over					✓	✓		✓	✓	✓		✓		
Household with two children of different sexes					✓	✓		✓	✓	✓		✓		
Household with three children									✓	✓		✓		
Household with four or more children									✓	✓		✓	✓	✓

Any offer of housing is based on the Council's overriding legal duty to make the best use of the social housing properties. To meet this duty:

- some properties will be advertised with an age requirement. For example, where we state 'applicants over the age of 40 years', only households where all applicants are over the age of 40 will be able to apply for these properties
- sometimes, we offer younger disabled people who are getting Disability Living Allowance housing on older people's schemes
- people who require adapted properties may also bid for properties that are not adapted to meet their needs. In these cases, an occupational therapist assessment, along with the applicant, will have to be completed to see if the property can be adapted to meet their needs.

### **15.1 Pregnant applicants**

Applicants who are pregnant will be treated as a 'family' requiring appropriate-sized accommodation as soon as their pregnancy has been confirmed.

We will reassess the circumstances of applicants who are pregnant before we make an offer to make sure that they still qualify for family-type accommodation.

### **15.2 Access to children**

For the purposes of this policy, we consider that access to children must be for at least four nights a week.

Single people or couples with access to children will qualify to apply for a two-bedroom flat, but we will give preference to applicants who would fully occupy the property permanently.

Single people or couples with children living with them permanently **and** with access to children will be able to bid for properties with an extra bedroom. However, we will give preference to large families who:

- would fully occupy the property permanently
  - who need four or more bedrooms
- over smaller families with access to children.

### **15.3 Adapted properties**

A Derby Homefinder Landlord could identify a property as being suitable to meet the needs of:

- an applicant who is a disabled person or who has mobility needs
- another member of the applicant's household who is a disabled person or who has mobility needs.

Where a property is identified as suitable in this way, we will match the property to applicants who need the particular adaptation. This is because there is a shortage of specifically-adapted properties and the Derby Homefinder Landlords must make best use of existing social housing properties.

## 15.4 Further guidelines on the size and type of property applicants may qualify for

Derby Homefinder Landlords will normally offer:

- bungalows or ground floor flats to applicants (including those aged under 60) who have medical or mobility issues and need accommodation at ground level
- houses will usually be offered to households with children under the age of 16 years
- two-bedroom flats, maisonettes and houses to Derby Homefinder Landlord tenants (single and couples who would normally only qualify for one-bedroom properties) who are currently under-occupying their accommodation. This is to release family houses for other families on the Housing Register
- small three-bedroom properties to applicants with one child
- parlour type houses – this is a house with two living (dining) rooms downstairs – to larger families and households who have a medical or mobility impairment who may not meet the occupancy criteria for the property
- a property with an extra bedroom to applicants who have a permanent carer or have a medical condition which means they need an extra bedroom. For the purposes of this allocation policy, a 'permanent carer' is defined as 'a sleeping carer' who stays or lives with the applicant four or more nights a week'.

## 16 How Derby Homefinder works

Derby Homefinder advertises social housing properties in Derby for rent.

It may also advertise:

- private landlord housing for rent, and
- social housing properties for rent in South Derbyshire under 'sub-regional arrangements'.

During the weekly advertising cycle, an applicant can bid for up to three properties. 'Bidding for a property' means that their name will be on the shortlist for that property.

Derby City Council, along with its partners, will allocate properties from the shortlist by:

1. selecting an applicant to become a tenant of Derby Homes
- or
2. nominating an applicant to become a tenant of a Registered Social Landlord.

The final decision about offering Registered Social Landlord (RSL) tenancies lies with that registered provider. If the Council nominates an applicant to become a tenant of an RSL, and the RSL does not make an offer of a tenancy, the applicant should contact the RSL about its decision.

Derby Homefinder will provide information on its website about advertised properties and the Band and need of the applicants who bid for it. For example, it will show that an applicant in Band B with four needs was at the top of a shortlist for a three bedroom house.

## 17 Advertised properties on Derby Homefinder

Each Derby Homefinder Landlord is responsible for describing and labelling its properties on Derby Homefinder.

Each property will be advertised with:

- the 'eligibility criteria' – those factors that will decide if a person qualifies
- property details.

We will tell you which band or bands the property is advertised to.

If you do not meet the criteria for a property, or are not in that Band, you will not be able to bid for that property.

### 17.1 Property details

To help applicants choose the properties that would best suit their needs, we will advertise all properties with details of size, type, location and features. The adverts will also include:

- which Derby Homefinder Landlord owns the property
- landlord contact details
- weekly rent and any other charges
- the closing date for applicants to bid
- other available information on the property. For example, if pets are allowed.

Some properties will be advertised with more eligibility criteria. An example of this is, we will give preference to Derby Homes tenants who are under-occupying family housing or for applicants aged 60 or over or who are getting Disability Living Allowance.

### 17.2 Grouped property advertisements

At times, we will group some properties together and advertise them with one reference number on Derby Homefinder. In these cases, you would only have to bid once to cover all the properties within the group.

This situation would happen when there is, for example:

- a new development of the same type of property
- an existing scheme where there are empty properties of the same size and type.

You can bid:

- through the Derby Homefinder website – [www.derbyhomefinder.org](http://www.derbyhomefinder.org)
- by telephoning 01332 256483
- in person by visiting the Housing Options Centre, Customer Contact Centre or at any Derby Homes local housing office.

Derby Homefinder allows you to view your position on a shortlist before you bid for the property on the Derby Homefinder website.



To place a bid, an applicant has to give:

- their Login number
- their PIN date (this is given as dd/mm/yyyy). For example 24/10/1968

For security purposes, both of these can be changed by the applicant after we issue them.

### 17.3 Bidding support

Derby Homefinder make sure that vulnerable applicants (see Appendix 8 – Vulnerable applicants on page 41) are supported through the application and bidding process.

We can provide support by:

- linking applicants to support workers and agencies
- bidding on behalf of the applicant ('auto bidding')
- one-to-one contact to explain how Derby Homefinder works and how to bid

## 18 Allocating properties

After the bidding has closed, each vacant property will have a shortlist made up of all the applicants who have placed a bid on the property.

The order of a shortlist is set by:

- the Band
- number of housing needs
- the time the applicant has been on the Housing Register.

The property is usually offered to the applicant(s) who has bid for it with the highest number of housing needs.

However, being at the top of the shortlist does not guarantee you an offer. Being on the shortlist means only that the Derby Homefinder Landlord will consider you for housing.

The successful applicant will be made an offer usually within seven working days.

Because of the high number of bids we receive, it is not possible to contact unsuccessful applicants. Applicants can check what has happened to their bid on the Derby Homefinder website.

### 18.1 Monitoring allocations

Derby Homefinder will regularly monitor:

- the percentage of properties offered to each of the Bands
- the number of properties that were offered to applicants that did not bid for them or that was not advertised on Derby Homefinder.
- a representative sample of applicants who were considered for a property but not offered it. We will do this to make sure that these applicants have not been treated unfairly or discriminated against.

This is not a complete list.

## 19 Offers

The landlord will contact the successful applicant with details of the offer. This will normally be by telephone and may be followed up in writing.

All Derby Homefinder Landlords reserve the right to:

- invite you for a before-tenancy interview
- carry out checks. For example check with current or former landlords to ask about rent arrears or anti social behaviour
- ask for a reference(s)
- withdraw an offer if checks reveal issues that are not on your housing application or that your circumstances have changed and you have not told us
- make offers to more than one applicant on properties to make sure that the property is let as quickly as possible.

You will only be made one offer at a time. If you have been made an offer of housing, you will not get any further offers - even if you continue to bid for properties whilst you are 'under offer'.

## 20 Responding to an offer

It is very important you tell the Derby Homefinder Landlords whether or not you wish to accept the offer within an agreed time period. You will be told this deadline at the time of offer.

If you do not do this, the landlord will withdraw the offer and make an offer to another applicant. If you do not respond to an offer of housing, we will cancel your application.

If you refuse three offers of accommodation that you have bid for we will place your application in Band C for six months from the date of the last refusal.

Applicants have a 'right to review' this decision (see Section 23.6 Right to ask for a review on page 28).

### 20.1 Non-shortlist (direct) offers

Sometimes, we need to make offers to applicants not appearing on shortlists. For example:

- If a property does not receive any bids from applicants, or is rejected by everyone who bid for it, we may offer the property directly to an applicant on the Housing Register. Or we may re-advertise it with different criteria. We will base the decision to make a direct offer or to re-advertise on demand for the particular property
- we may hold back some properties from the Derby Homefinder scheme to make allocations that are at our discretion to support 'sustainable communities' and other Council initiatives.

Derby Homefinder Landlords also have the right to offer 10% of their properties to their existing tenants. This may be to:

- reward good tenants
- rehouse tenants to bring about 'sustainable communities'
- house tenants who have an urgent need for rehousing
- release under-occupied properties
- resolve anti-social behaviour.

## 20.2 Local Letting Plans

In some cases, Derby Homefinder Landlords, together with Derby City Council, may decide to let properties within a local area or new development on a slightly different basis than normal. This would be done to help create 'sustainable communities' within an area. These are called 'Local Letting Plans'.

In the interest of sustainable communities, 'Local Letting Plans' are done in certain areas of the city that may have particular problems of crime and anti-social behaviour.

Local Letting Plans are also used when allocating a large number of properties in the same area - for example, on a newly built development - to help create a sustainable community.

This will usually mean that certain restrictions are placed on the letting of properties within the area.

Each Derby Homefinder Landlord is responsible for agreeing its own Local Letting Plans. However, wherever possible, this will be done in consultation with the Council's Housing Options Centre.

A Local Letting Plan will only be set up when the landlord decides there is enough evidence to call for it. The reason for it will be recorded, including a clear definition of the particular problem to be addressed, the timescale and how the result will be measured.

Local Letting Plans are reviewed regularly by the Housing Options Centre and the relevant landlord and every attempt is made to keep their use to an absolute minimum.

Because local lettings areas come under frequent review and change, they are not listed in this Allocation Policy. However, if a property is advertised as a result of a Local Letting Plan, you can get a copy of the relevant Plan from the Housing Options Centre or the relevant Derby Homefinder Landlord (see Section 27 Derby Homefinder Landlords on page 28). You can also view it on the Derby Homefinder website.

## 21 Types of tenancies

All new tenancies within Derby City Council properties, managed by Derby Homes, are 'introductory tenancies'. You can get further information about these tenancies from any Derby Homes Local Housing Office (see Appendix 1 - The meaning of the terms we use on page 30).

Introductory tenancies aim to make sure that, during the first 12 months of a tenancy, people act responsibly and comply with the conditions of the tenancy agreement. If there are no problems during that period, an introductory tenant automatically becomes a 'secure tenant'.

Derby Homes may extend the first 12-month period of an introductory tenancy by a further six months if someone does not keep to their terms and conditions of tenancy. Or, the Council may seek to evict an introductory tenant who does not keep to the terms and conditions of their tenancy.

Registered Social Landlords reserve the right to offer an 'assured short-hold tenancy' (see Appendix 1 - The meaning of the terms we use on page 30).

We will always tell you if we are offering you an introductory or assured short-hold tenancy, and of any other conditions attached, before you sign the tenancy agreement.

## 22 **Changes of circumstances that might affect your housing application**

You must tell us if there is a change of circumstances for:

- you
- a joint applicant
- other members of your household, or
- anyone else on your housing application

as this may affect the Band and the housing needs on which we have based our decision. You can tell us about changes in person, by telephone, online or in writing.

Examples of changes can include but are not limited to:

- a change of address
- a change of contact telephone details
- people leaving your household or more people coming in to your household
- your health getting better or worse
- immigration status.

If we discover a change in your circumstances that you have not told us about, it may affect:

- your housing application
- any potential offers

and you could be in breaking the terms of your tenancy if you have already been housed.

Remember, it is **your** responsibility to check with us whether or not a change of circumstances is relevant and/or affects your application.

We may ask you to fill in a change of circumstances form so that we can reassess your housing application. We will tell you if you need to do this. If you have previously completed a medical assessment form, you may need to fill in a new form. This is because the policy takes into account how housing impacts on the medical problem, rather than the medical problem itself.

If there is a change in circumstances, we may have to change your Band and housing needs. We will always write to tell you of any changes we make to your Band and/or needs.

Derby City Council tenants should contact a Derby Homes Local Housing Office (see Section 27.2 Derby Homes on page 29 for details). Other applicants should telephone 01332 265483.

## **22.1 Joint applicants who no longer wish to apply together**

If one / both / all applicants in a joint application no longer wish to apply jointly and want to be considered on their own, they can make separate applications.

When we receive a request to split the joint application the application will keep the same registration date as in the original application.

## **23 Suspensions/ Cancellations/ Deferrals**

### **23.1 Suspending your housing application**

We will put your housing application on hold ('suspend' it) if, for example:

- we have asked you, in writing, for information to support your application and we are waiting for your reply
- we have asked a support agency or worker, in writing, for information about you and are waiting for a reply from them. Your application will be suspended until we receive a reply
- you have been on the Housing register for 12 months but have not placed any bids in the last six months.

If we suspend your application, you won't be able to bid for properties.

### **23.2 Cancelling your application**

We will cancel your housing application if, for example:

- you have made a Right to Buy Application and it has been accepted
- you have asked us to cancel it
- you have been re-housed by a Derby Homefinder Landlord
- you have exchanged your property with another tenant
- you have moved and not told us of your new address
- we have written to you about your application and you have not responded within 28 days
- you have not given us within 28 days all the information we reasonably require and have asked for to support your application
- you have not responded to an offer of housing
- we have evidence that you no longer qualify for housing
- you have given false or misleading information.

### **23.3 Reinstatement of an application**

We may reinstate a cancelled application if, for instance, an applicant can prove he/she had a good reason for not contacting us.

We will reinstate an application only within six months of the cancellation – this is at the Council's discretion.

We will consider each case individually.

#### **23.4 Delayed / deferred applications**

We will defer applications from people who do not want to be considered for housing now but want to go on the Housing Register in the future. For example, people who:

- are living in 'tied accommodation'
- have been assessed by the Housing Options Centre or any other relevant support agency and found that they are not ready for independent living
- need housing with support and are refusing a support package to help them keep up their tenancy
- are not ready to move at the moment
- have reasons why they cannot move - for instance, they are due to go into hospital
- have had a bereavement or for other personal reasons
- are serving in Her Majesty's Forces
- are in hospital or in care
- are serving a prison sentence. We will defer applications until 28 days before their release date when we will assess their Band and needs.

Remember, it is **your** responsibility to tell us when you want to be considered for housing. When you do, it is at this point that we will check and confirm your current circumstances.

Applications in the deferred Band:

- will receive waiting time
- will remain inactive in this band for five years at most. After this time, we will cancel them automatically.

#### **23.5 Derby Homefinder Review**

We carry out a review of the Housing Register every year. We do this review to make sure that only applicants who are actively seeking housing stay on the Housing Register.

We will do this by:

- contacting vulnerable applicants (or their support worker) who have been on the Housing Register for a year but have not bid in the last six months, by phone, email or in writing to find out why they are not bidding and if they still want housing
- suspending applicants for 12 months who have been on the Housing Register for one year but have not placed any bids in the last six months. If after 12 months, we have had no contact from the applicant, we will automatically cancel their application.

We will not review applicants in the deferred band

### 23.6 Right to ask for a review

The Housing Act 1996, as amended by the Homelessness Act 2002, gives applicants the right to ask for a review if we:

- decide not to allow them to join the Housing Register (see Section 11.3 Assessment for exclusion on page 8), or
- make any decision that affects their housing application.

Applicants can ask for a review about a decision we have made about their application if they can give us proof that we have:

- made a mistake
- failed to take into account a relevant fact, or
- taken into account an irrelevant fact in assessing their application.

Applicants must provide all the relevant information for us to consider as part of the review process.

You, or your representative, should make your request to the Housing Advice Manager (Register) at the Housing Options Centre in writing, **within 21 days of getting our written decision**. If it is difficult to give us your reasons in writing, you or your representative may tell us in person.

### 23.7 The decision about your review

A senior officer, who has not been involved in the original decision, will look at your request for a review.

The officer will base her or his decision on the known facts at the time of the review. In some cases, she/he may need to ask you for more information to help in making a decision.

She/he will write to you or email you about their decision and explain the reasons for it within 56 days of the date of your request for a review.

## 24 The Housing Options Centre

We are committed to giving you the best possible housing service. We will always try to get it right, but we need you to tell us if we get it wrong.

If you are unhappy with the service the Housing Options Centre provides, please contact the Centre straight away to try to get the problem settled (see Section 26 Derby City Council Contact Details on page 28 for contact details). If you telephone or visit, please ask for the names of the people you speak to.

If you are not satisfied with the reply, you should write to the Senior Housing Advisor of Customer Services. You will receive a written or email response to your complaint within 21 days.

If you are still not satisfied with the response, you need to fill in the 'Making a Complaint about Council Services' form, available from the Housing Options Centre, the Customer Service Centre at 1 Albion Street, or online at: [www.derby.gov.uk](http://www.derby.gov.uk)

The Council's Corporate Complaints Officer will independently investigate your complaint.

If you are unhappy with the Corporate Complaints Officer's reply, you can make a complaint to the Local Government Ombudsman. This is an independent service run by central government to make sure that local authorities provide a good standard of service to their customers (see Section 25 below).

## **25 Complaints against Derby Homefinder Landlords**

If you feel that you have been treated unfairly or have not been given a professional service by any Derby Homefinder Landlord, you should directly complain to them. All the Derby Homefinder Landlords have their own formal complaints policies and procedures.

If you have followed the Derby Homefinder Landlords complaints procedure but are still unhappy, you can contact:

- the Local Government Ombudsman for complaints about Derby Homes

Local Government Ombudsman  
Beverley House, 17 Shipton Road, York YO30 5FZ

Telephone: 01904 380200  
Fax: 01904 380269

- the Independent Housing Ombudsman for complaints about Registered Social Landlords.

- Independent Housing Ombudsman  
81 Aldwych, London WC2B 4HN

Telephone: 020 7421 3800  
Fax: 020 7831 1942



## 26 Derby City Council Contact Details

### Housing Options Centre

Bio House  
Derwent Street  
Derby  
DE1 2ED  
Tel: 01332 256483  
Minicom: 01332 256480

### Customer Service Centre

1 Albion Street  
Derby  
DE1 2PR  
Tel: 01332 256483

### Opening hours

Monday	9am – 4:30pm
Tuesday	CLOSED
Wednesday	9am – 4:30pm
Thursday	12:30pm – 4:30pm
Friday	9am - 4pm

## 27 Derby Homefinder Landlords Contact Details

### 27.1 Registered Social Landlords

#### Affinity Sutton

PO Box 850  
Bromley BR2 9HY  
Tel: 01477 539 250

#### Raglan Housing Association Ltd

22-24 Oxford Road  
Bournemouth  
Dorset BH8 8EZ  
Tel: 0845 070 7772

#### Anchor Trust

Milestone Place  
100 Bolton Road  
Bradford BD1 4DH  
Tel: 0845 140 2020

#### Riverside Group

Riverside House  
49 Western Boulevard  
Leicester LE2 7HN  
Tel: 0845 111 0000

#### Derwent Living

1 Centro Place  
Pride Park  
Derby DE24 8RF  
Tel: 01332 346477

#### Salvation Army

Housing Association  
33-35 Chorley New Road  
Bolton  
BL1 4QR  
Tel: 0800 970 6363

#### Friendship Care and Housing

5 The Triangle  
Enterprise Way  
NG2 Business Park  
Nottingham NG2 1AE  
Tel: 0845 608 8110

#### Spirita Ltd

68-84 Alfreton Road  
Nottingham NG7 3NN  
Tel: 0845 601 5042

**Guinness Northern Counties**

38a Moyne Gardens  
Chellaston  
Derby DE73 6UE  
Tel: 0845 605 9000

**Tuntum Housing Association**

90 Beech Avenue  
New Basford  
Nottingham NG7 7LW  
Tel: 0115 916 6066

**Home**

2 St Andrews House  
Vernon Gate  
Derby DE1 1UJ  
Tel: 01332 294505

**27.2 Derby Homes****Derby Homes**

Floor 2 South Point  
Cardinal Square  
10 Nottingham Road  
Derby DE1 3QT  
Central allocations tel: 01332 888440  
Contact centre tel: 01332 711000

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## Appendix 1 - The meaning of the terms we use

Active application	This is an application that we have fully processed and means the applicant can bid for properties on Derby Homefinder.
Adapted property	This is a property that has been adapted for a disabled person.
Age criteria	This describes a property that is restricted to being let to people of a certain age.
Applicant	The term 'applicant' within this policy refers to all main applicants, joint applicants and all members of an applicant's household.
Allocation	The selection of a housing applicant to be a secure or introductory tenant of a Council home that is managed by Derby Homes. Or, the Council can nominate an applicant to be a tenant of a Registered Social Landlord (see below).
Allocation Policy	This explains the rules that set out how Derby City Council and the Derby Homefinder Landlords allocate social housing properties.
Assignment	Assignment is one of the ways in which a tenancy can be legally transferred or 'signed over' from one person to another during their lifetime. Only certain tenants have the right to do this. Even then the correct legal procedures must be followed and the landlord's permission is needed.
Auto bid	This is where the Derby Homefinder computer will look for a property that an applicant is eligible for in their preferred areas of choice and automatically place a bid for a property that the applicant has the most chance of being offered.
Bands	A Band is a category that defines housing need(s). An applicant will be placed in one of the four bands depending on the priority of their housing needs.
Band awarded date	This is the date an application is placed in a Band.
Bidding	Your way of telling the Derby Homefinder Landlord that you would like to live in a particular property.
Bidding cycle	This is the length of time vacant properties are advertised for.
Bypassing	The term is used when a Derby Homefinder Landlord rejects an applicant for a property because: <ul style="list-style-type: none"><li>• the applicant is not suitable, or</li><li>• the property would not meet the applicant's needs.</li></ul>
Choice-based lettings	A scheme that gives all applicants a greater degree of choice of home. In Derby, the scheme is Derby Homefinder (see Section 16 How Derby Homefinder works on page 18)

Deferred Application	An application that is on hold for future need or until the applicant is able and ready to move.
Derby Homefinder	The name of the choice-based lettings scheme (see Section 16 How Derby Homefinder works on page 18) in Derby.
Derby Homes	The name of the arms-length management organisation (see Section 27.2 Derby Homes on page 29) that manages Derby City Council-owned properties.
Effective date	This is the date we receive an application for processing: the applicant waiting time is calculated from this date. This is the same as the registration date.
Eligibility	This is used to describe factors that match an applicant to a property - for example, the size of your household and the number of bed spaces in a property.
Habitual residence test	The test that decides whether the applicant's residence in the United Kingdom is of a settled nature.
Local letting policies	These are dealt with in detail in Section 20.2 Local Letting Plans on page 22 of this policy.
Mutual exchange	This is where Local Authority and Registered Social Landlord tenants can exchange properties with the permission of their landlords.
Non-shortlist offer	This is when a property is offered to an applicant without it having been advertised.
Non-statutorily homeless	A term that refers to homeless people or households to whom local housing authorities do not have a duty to make an offer of suitable accommodation.
Nomination	This term is used when a local housing authority provides, from its Housing Register, the name and details of an applicant to a Registered Social Landlord for an offer of housing.
Rechargeable repairs	These are repairs to damage caused by a tenant to a property during a tenancy for which the tenant is directly and/or indirectly responsible.
Registered Social Landlords (RSLs)	This is the name given to a housing association or a not-for-profit company registered by the Tenants Service Authority to provide social housing.
Registration date	This is the date the Council receives an application with all supporting evidence it needs from the applicant. The application waiting time is calculated from this date. This is the same as the effective date
Rights of Residence Directive	This allows citizens from the European Economic Area to live in the UK.

Shortlist	This describes a list of applicants that have bid, and qualify, for a particular property that has been advertised on Derby Homefinder.
South Derbyshire Homefinder	This is the name of the choice-based lettings scheme in South Derbyshire
Social exclusion	This is a term used to describe the problem of certain groups which are excluded from mainstream society due to their socio economic circumstances.
Social housing	The term is used to describe affordable rental accommodation owned by a local council or housing association.
Succession of tenancy	A tenancy does not automatically end when a tenant dies. Legally, a tenancy counts as property and can be passed over via a process called ' <b>succession</b> '. The right to succeed normally depends on how an individual is related to the person who died and how long they have lived together.
Suspended application	This is an application that is on hold because of administration processes. For example, an application that is on hold waiting full information.
Statutorily homeless	This term refers to homeless people or families to whom a local housing authority has a duty to make an offer of suitable accommodation.
Sustainable communities	The Department for Communities and Local Government says a sustainable community is a place where people want to live and work now and in the future.
Types of tenancy	<p><b>Assured tenancy:</b> usually used by Registered Social Landlords (RSL), after the use of a starter tenancy (see below). A tenant has the right to remain in the property unless the landlord can prove to the court that they have grounds for possession. The landlord does not have an automatic right to repossess the property when the tenancy comes to an end.</p> <p><b>Assured shorthold tenancy:</b> used in the private rented sector. With a shorthold tenancy the landlord can regain possession of a property six months after the start of the tenancy, provided that they give the tenant two months' notice requiring possession.</p> <p><b>Introductory tenancy:</b> is a local council tenancy for a trial period of one year before a tenant becomes a secure tenant. Introductory tenants have fewer rights than secure tenants. The council can extend an introductory tenancy if there have been breaches of the conditions of the tenancy.</p> <p><b>Secure tenancy:</b> a local council tenant will automatically become a secure tenant after 12 months of being an introductory tenant, provided there have been no breaches of the conditions of the tenancy.</p>

**Starter tenancy:** is a Registered Social Landlord (RSL) tenancy for a trial period of one year before a tenant gets an assured tenancy (see above). Starter tenants have fewer rights than assured tenants. An RSL can extend a starter tenancy if there have been breaches of the conditions of the tenancy.

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## Appendix 2 - Definition of 'local connection'

To qualify for 'local connection' and be allocated a Derby Homefinder property, the applicant must:

- have lived in Derby for six out of the last 12 months or
- have lived in Derby for three out of the last five years or
- work in Derby. Applicants who have permanent work in Derby have an immediate local connection. Applicants who have temporary or casual work establish a local connection after six months of work in the city or
- have an immediate family member (grand parent / parent / child / brother / sister), with whom they are in close contact, living in Derby who meets local connection criteria.

You can't claim a local connection through residence which is not of your choice, such as by living in approved premises, a probation hostel or hospital.

We will need to see proof that applicants have a local connection with the city.

### Working in Derby

If you claim a local connection under the work rule, we will need your current employer to provide written proof confirming the length of employment.

### Family connection

Where you claim a local connection under the family rule, we will need you to provide proof to confirm the family connection.

### Other local connection circumstances

These circumstances are:

- applicants who have been accepted by Derby City Council under the homeless law
- applicants who have been accepted for priority re-housing as a reciprocal arrangement with another local council
- HM Armed Forces applicants through Section 315 of the Housing and Regeneration Act (2008) who have established a local connection with Derby before they joined the services
- refugees who have been granted leave to remain and have been dispersed to the city
- young people leaving the care of Derby City Council who have been placed outside Derby but are the responsibility of Derby City Councils Children and Young People Department
- applicants who have been accepted from outside Derby as part of a Witness Protection recommendation
- applicants from outside Derby who are victims of domestic violence who cannot return to the area where they were living for fear of violence

- people who had a local connection to Derby at the time they were placed in temporary accommodation outside the city boundary by a recognised referral agency
- people who need to get access to health or support services that are only available in the city - for example, the Royal School for the Deaf.

#### **What does not give you a local connection**

- People living in bail hostels or approved premises
- Occupying a mobile home, caravan or motor caravan which is not placed on an official mobile home or caravan park
- Hostel residents from outside Derby who have not lived in Derby for six months
- Students whose main residence is outside the city
- Patients in Derby hospitals wards but their main home is outside the City.

Remember, it is **the applicant's** responsibility to prove they have a local connection to the city.



### **Appendix 3 - Housing application processing standards**

When we receive your housing application with all supporting evidence...

- we will acknowledge we have received paper applications (if you ask us to do this) within two working days
- if we need to visit you at home or arrange an office interview, we aim to contact you to arrange this within 10 working days of receiving your application and all the supporting evidence
- we aim to tell you that your application is Active, Deferred, Suspended or you don't qualify within 28 days of receiving your form and all the relevant information
- we aim to process your change of circumstances within 28 days of receiving all the information we need from you and other relevant agencies.

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## Appendix 4 – Financial hardship

For this Allocation Policy, 'financial hardship' is defined as one of these reasons:

- owner occupiers who cannot afford to resolve their own housing situation and cannot afford to heat their home because it is too large for their needs
- owner occupiers who cannot resolve their own housing situation, whose property we have assessed as being in a poor state of repair, who cannot afford to carry out essential repairs
- applicants who don't have enough income to pay rent or rent arrears after a full financial assessment
- owner occupiers who don't have enough income to pay mortgage or mortgage arrears after a full financial assessment
- private rented sector tenants who can't pay the rent because of a shortfall between Housing Benefit and rent payable and are not entitled to 'Discretionary Housing Payments'. and who have no other housing options available to them

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## Appendix 5 – Lacking bed spaces

To work out if someone is living in overcrowded conditions, we will look at the number of bedrooms available to them and the ages of their children.

A separate bedroom should be available for:

- a couple living together – double room
- a lone parent – double room
- children/adults of the same sex can share a bedroom. For example, two people can share a double/twin room
- two children of opposite sexes where one is aged 10 or over will be entitled to a separate bedroom.

### For example

Mrs Smith lives in a three-bedroom property. The property has one double bedroom and two single bedrooms. She is requesting housing for her partner, herself and three children.

We would assess her application to be lacking one bed space. This is because, under this Allocation Policy, we would assess that:

- she and her partner would sleep in the double bedroom
- two of her children would have a bedroom each
- her third child would be lacking a bed space.

We award applicants who lack one or two bed spaces one need; and we award applicants who lack three or more bed spaces an extra need.

## **Appendix 6 – Specific offences**

For the Allocation Policy, we define the following as specific offences:

- homicide and attempted murder
- rape/buggery
- arson and criminal damage endangering life
- use of firearms
- Section 18/20 wounding
- offences against children
- false imprisonment/kidnapping
- robbery, assault with intent, aggravated burglary
- serious drugs offences, for example, trafficking and large-scale dealing
- indecent assault

(These are currently being updated.)

## Appendix 7 – Awarding band and needs

Derby City Council:

- places applications in the Derby Homefinder Band that fits their circumstances and
- awards extra preference by awarding a need or needs, where this applies.

Applications also build up waiting time from the date that we receive all the supporting evidence we need from the applicant.

### For example

Mrs Smith lives in a three-bedroom upper floor flat. The property has one double bedroom and two single bedrooms.

She is requesting housing for her, her partner, and three children aged four, six and 14. She wants to move closer to her mother who lives on the opposite side of the city.

She has to visit her mother every day because she provides care and support and, if she didn't do this, it is likely her mother would have to move into residential care.

She does not have current or former housing debt and her family do not cause any anti-social behaviour.

Mrs Smith's circumstances attract needs from both Band A and Band B. We would place her application in Derby Homefinder Band A with three needs. These needs would take account of:

- her need to move to provide essential care and support (Band A need)
- lacking a bed space (Band B need)
- living in an upper floor flat with a child aged under 12 years (Band B need).

If we considered that Mrs Smith was unsuitable to be a tenant because of former housing debt and had made no payments towards the arrears, we would place her application in Band C until she could prove a satisfactory payment record.

## **Appendix 8 – Vulnerable applicants**

For the purposes of this policy vulnerable applicants are people who have difficulty accessing our service due to age, physical, mental or psychological health or disability or language barriers. For example:

- people with physical disabilities
- people with mental ill health
- people with learning difficulties or disabilities
- older people
- young people
- substance abusers , such as drugs or alcohol
- people whose first language is not English.

This list is not a complete list.

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