

Hart District Council

# Housing Allocations Policy

May 2025



# CONTENTS

## Part One

- 1.1 Introduction
- 1.2 Background
- 1.3 Our aim
- 1.4 Housing options, advice and support

## Part Two – Housing applications

- 2.1 Housing register and applications
- 2.2 Joining the Housing Needs Register
- 2.3 Definition of a household
- 2.4 Who can apply
- 2.5 Transfers
- 2.6 Right to move
- 2.7 Eligibility
- 2.8 Local Connection
- 2.9 Armed Forces
- 2.10 Older persons accommodation
- 2.11 Care leavers
- 2.12 Other exemptions
- 2.13 Financial criteria
- 2.14 Assessing applications
- 2.15 Exceptions to the Hart Bedroom Standard
- 2.16 Unacceptable behaviour
- 2.17 Housing Needs Qualifying criteria ('Reasonable preference')
- 2.18 Medical and ground floor needs assessments
- 2.19 Extra Care Housing
- 2.20 Rural Housing
- 2.21 Local Lettings Plans
- 2.22 Fostering and Adoption
- 2.23 Renewals and reviews

## Part Three - Bidding

- 3.1 Automated Bidding and Private Rented Sector Offers
- 3.2 Bidding for occupants in temporary accommodation
- 3.3 Engagement with the Housing Solutions Team

## Part Four

- 4.1 Equal Opportunities
- 4.2 Data Protection
- 4.3 Complaints

Appendix 1 – Legislation

Appendix 2 – Support for vulnerable customers and bidding

Appendix 3 – Hart bedroom and banding standards

Appendix 4 – Reviews

## **Part one**

### **1. Introduction**

Hart District Council's Housing Service offers housing advice and support regarding the housing options available to applicants and is not simply a homelessness or allocations service. Due to limited social housing across the district, the Communities team works in partnership with a range of agencies and organisations across the private, statutory, and voluntary sectors, in seeking to holistically meet the individual needs of customers, and to prevent and alleviate homelessness to meet housing need. The demand for housing still exceeds the number available.

Our Allocations Policy sets out locally agreed qualifying criteria taking in to account housing need and, prioritising households accepted as homeless under s193, Part 7 of the Housing Act 1996 (as amended.) However homelessness does not provide any guarantee of an offer of social housing in Hart, and the full range of available housing options will be explored in every case.

The Housing Act 1996 (as amended) sets out a requirement for the Council to have an allocations scheme to determine priorities, including the procedure being followed when allocating housing accommodation and make nominations to housing providers.

The 1996 Act further requires that the Council give reasonable preference within the Allocations Policy to people with high levels of assessed housing need. This includes people who are homeless, people living in unsatisfactory housing conditions, those who need to move due to welfare or medical reasons, and those who would face hardship if they did not move to a particular area of the district. The reasonable preference categories are set out in Part 2, Section 6.

This document represents the full version of the Council's allocations scheme. It is available on the Council's website at [www.hart.gov.uk](http://www.hart.gov.uk) and from the Civic Offices in Fleet by appointment.

This policy complies with the requirements of the Housing Act 1996 (as amended) and has been developed taking in to account statutory guidance on allocations: 'Allocation of Accommodation: Guidance for Local Housing Authorities in England – October 2023'.

A full list of legislation and guidance can be found in Appendix 1.

### **2. Background**

In 1994 Hart District Council transferred all its housing stock to Vivid Homes formally Sentinel Housing Association. Vivid, along with various other housing associations provide affordable housing in Hart.

Although there is no statutory requirement to do so, the Council feels there are significant benefits to managing and administering a Housing Register to provide access to housing association rented properties and is committed to providing housing at affordable levels for local people.

Our housing register and accompanying policy make it easier and convenient for applicants to look for affordable rented homes in one place rather than needing to join many different

landlords' registers.

The Allocations Policy seeks to support eligible and qualifying households in order of length of time that they have been waiting in their appropriate band. We allocate most homes through a Choice Based Lettings scheme. This involves advertising vacancies each week online. The system enables eligible and qualifying applicants to view and express an interest in up to 3 appropriately sized properties per week and manage their applications. The Choice Based Lettings system is explained in later sections of this policy, but can be accessed using this link: [Hart-Home-Connections](#)

Housing association homes available for mutual exchange, private rented sector accommodation and shared ownership properties may also be advertised within the parameters of this policy.

Please note that partner housing associations will also have their own allocations policies. These policies are used to determine individual assessments of applicants nominated by the Council to advertised vacancies within their housing stock. Housing associations can refuse Council nominations made on behalf of applicants within the scope of these policies.

### **3. Our aim**

We aim to:

- ✓ Make the best possible use of all available housing stock
- ✓ Provide housing that is suitable for the individual household needs
- ✓ Help applicants most in need
- ✓ Give customers as much choice as possible, so they make informed choices about their housing options
- ✓ Help build and encourage sustainable mixed communities and neighbourhoods of choice
- ✓ Nominate applicants for housing association properties in a fair and transparent way

### **4. Housing options, advice and support**

We are committed to delivering proactive advice and support to people in housing need in the district. We will therefore give realistic recommendations, promote other housing options, and offer support to access housing solutions that meet any identified needs and alleviate immediate and longer-term housing needs, making sure not to disadvantage qualifying persons.

Not everyone who seeks housing advice and assistance from the Council will qualify to join the Housing Register or be successful securing housing association accommodation. See Appendix 2 for further information regarding support for vulnerable applicants.

We believe that any applicant who is assessed to be an eligible and qualifying person under this scheme should be able to express a preference regarding the type of property and the area in which they would like to live. We aim to offer all eligible and qualifying applicants some choice when applying for housing however the amount of choice we are practicably able to offer and our ability to satisfy expressed preference may be severely limited. This is due to the acute housing pressures facing the district.

We have responsibilities to some types of applicants in housing need, for example those

who have been accepted as statutorily homeless, and this may further limit the choice available to those households.

## **Part Two – Housing applications**

### **2.1 The Housing Needs register**

To be offered an allocation under this scheme, an applicant must be on the council's Housing Needs Register. Only applicants who are both eligible and qualify, may join the Housing Needs Register.

### **2.2 Joining the Housing Needs register**

Applicants can apply to join the scheme, subject to meeting the qualifying conditions. Hart's Housing team will verify the application and make an initial assessment of need.

Before an application can be verified, applicants will be asked to provide proof to support their application. For example, they may be asked to provide proof of income, benefits, care of children or levels of capital, this list is not exhaustive.

We will make any other enquiries deemed necessary to verify the application. This may involve contacting previous landlords, health or medical advisors, police etc. The information given on the form must be correct. Hart District Council reserves the right to disqualify any applicant from joining the register, withdraw any offer of tenancy or recover possession of an existing tenancy if a person knowingly withholds information. It is the responsibility of all applicants to advise the council of any changes in their circumstances.

### **2.3 Definition of a household**

Applicants should only include persons on their application who will be a permanent member of their household and occupying the accommodation offered as their only or principal home.

- Joint applicants - Married, civil partners and cohabiting couples who wish to live together can make a joint application.
- Dependent children - Dependent Children are those aged below 18 years, or up to the age of 20 if in approved full-time education and eligible for Child Benefit.
- Non-dependent children - Will only be considered where they have continually resided with the applicant without previously leaving the parental family unit.
- Live in carer - A carer who provides permanent 24 hour live in care, confirmation is required from social services, will be eligible for one bedroom. An extra bedroom will not be considered if the carer does not/will not reside permanently with the applicant as their main and principal home
- Shared care – Applicants who have staying access to dependent children, or shared residence orders, are not automatically entitled to bedrooms for those children. The Council recognises the need for a child to have one home of adequate size and will not usually accept responsibility for providing a second home for

children. Where a dependent is expected to reside part of their time with another parent / guardian through a legal court order an additional room will only be awarded to the parent who is in receipt of child benefit. The decision will be taken with regard to affordability, the availability of family sized accommodation units, and all other competing demands at that time.

## **2.4 Who can apply?**

Anyone aged 18 or over who is eligible and meets the qualifying conditions can apply to join the Housing Needs Register.

Where an applicant is under the age of 18, they will only be accepted onto the housing needs register where;

- the Council has accepted a duty under homelessness;
- they have been referred under Section 27 of the Children's Act 1989;
- they have resided in a supported housing scheme in Hart District.

## **2.5 Transfers**

Applicants who have a permanent tenancy with a Registered Provider in Hart District may apply and are defined as transfer applicants for housing.

All household members must be leaving the property for an application to be considered as a transfer.

## **2.6 Right to move**

The Right to Move applies to transferring tenants who have reasonable preference, where Hart District Council is satisfied that they need to move to a particular locality in the area and failure to meet that need would cause hardship (to themselves or others).

We must be satisfied that the tenant needs, rather than wishes, to move for work related reasons. Several factors will be considered in determining this including:

- distance and/or time taken to travel between work and home
- availability and affordability of transport, considering level of earnings
- nature of the work and whether similar opportunities are available closer to home
- Other personal factors, such as medical conditions and childcare, which would be affected if the tenant could not move
- length of the work contract and failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, e.g. by taking up a better job, a promotion, or an apprenticeship.

This is not an exhaustive list.

The tenant will not qualify if work is short-term or marginal. Voluntary work is also excluded. In determining short term, the council will consider the following:

- Whether work is regular or intermittent - This is likely to be particularly relevant in the case of the self-employed.

- The period of employment and whether work was intended to be short-term or long-term at the outset.
- A contract of employment that was intended to last for less than 12 months could be considered to be short-term.

The Housing team will consider the following in determining whether the work is marginal:

- The number of hours worked. Less than 16 hours a week is likely to be considered marginal in nature.
- The level of earnings.

Voluntary work means work where no payment is received, or the only payment is in respect of any expenses reasonably incurred.

The term work includes an apprenticeship. This is because an apprenticeship normally takes place under an apprenticeship agreement which is an employment contract (specifically a contract of service).

Where the tenant has been offered a job and needs to move to take it up, they must be able to demonstrate to the council's satisfaction that they have a genuine intention to take up the offer. The council will ask to see a letter of acceptance and may wish to contact the employer to verify the position.

In line with the statutory guidance, the council is required by law to agree a reasonable preference when awarding priority, therefore any approved Right to Move applications will be awarded a Band C position.

## **2.7 Eligibility**

Those ineligible to join the housing register include:

- Anyone on an introductory or starter tenancy
- People from abroad who are subject to immigration control under the Asylum and Immigration Act 1996, unless they are already an assured tenant of a Registered Provider living in Hart District or in a class prescribed by regulations made by the Secretary of State.

Any applicant making an application who is identified as falling under the Asylum and Immigration Act 1996 will be assessed in accordance with the Act. Hart District Council reserve the right to seek independent advice and assistance to resolve issues of eligibility.

## **2.8 Local Connection**

To qualify to join the housing register, the main applicant or second applicant where a joint application is held will be required to demonstrate, unless they meet exemption criteria, that they have a local connection with the district in the following ways:

- They have lived in the Hart District for a minimum of two years consecutively, immediately before the application to the housing register. If they then move out of the district, local connection will be lost.
- There is a desperate need to live in the district for support needs.

Exemptions to the local connection qualifying criteria are detailed below.



## **2.9 Armed Forces**

Considering relevant legislation and guidance for allocations, the following are exempt from the local connection qualifying criteria:

- those serving in the regular forces or who have served in the regular forces
- Spouses, civil partners, and children for whom regular personnel, reservists and veterans are responsible
- Those who have recently ceased, or will cease to be entitled to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where;
  - the spouse or civil partner has served in the regular forces regardless of whether the death has any connection with service
  - bereaved immediate family of service personnel who have died
  - is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.

For the purposes of this policy, the definition of regular and reserve forces will reflect the definition set out in s374 of the Armed Forces Act 2006.

### **2.10 Older person accommodation**

Applicants comprising single people or couples aged 55 or over who are applying for older person's accommodation are exempt from the local connection qualifying criteria. These applicant households will normally be placed into Band D.

### **2.11 Care leavers**

Applicants who are care leavers aged under 25 who were placed into care outside of the district by Hampshire County Council will obtain a local connection to Hart.

Applicants who are care leavers aged under 25 who have been placed in care within the Hart district area by another local authority, and who have spent a minimum of 2 years living within Hart including a period before they turned 16 will obtain a local connection.

Applicants who are owed a prevention duty by Hart District Council because they will be homeless within 56 days will obtain a local connection. Local connection will cease if the prevention duty ends without a relief duty being met, or the applicant being assisted into the private rented sector by Hart District Council.

Local connection will not be established where the applicant has been placed in temporary accommodation within the district by other local authorities in the discharge of homelessness duties.

Housing association tenants who reside outside the Hart district, but where the Council has nomination rights to the property and re-housing would create a resultant vacancy available to let through the Choice Based Lettings system or social housing tenants who meet the Right to Move Criteria in S2.6, will be exempt from the local connection qualifying criteria.

If upon review an applicant no longer meets these criteria, their application will be

cancelled and removed from the register.

## **2.12 Other exemptions**

The Council may consider exercising discretion in making other applicant households exempt from the local connection qualifying criteria where there are exceptional circumstances, such as people fleeing violence or harassment from the areas in which they have a local connection within the definition set out above. Decisions will be made on a case-by-case basis by the Housing Solutions Manager.

Applicants placed outside the district by the Council into accommodation within a supported housing scheme, will retain a local connection for the purposes of qualifying to join the Housing Register whilst in placement. Applicants who are placed outside the district as a result of a private rented sector offer, either to prevent homelessness or to end the main housing duty under homelessness legislation, will be exempt from local connection criteria for a period of two years from the tenancy start date.

## **2.13 Financial criteria**

For financial criteria to be met, evidence needs to be submitted showing income, savings, and assets at the point of application.

Applicants will be assessed to determine whether:

- Applicant 1 and/or Applicant 2 have a combined household income exceeding £60,000 per annum (excluding any means-tested welfare benefits received by the household).
- Have savings or assets valued more than £30,000.

Where an applicant triggers one or both criteria listed above, a financial assessment will be carried out to determine whether they qualify to join the Housing Register. This assessment will be applied on the principle that average housing costs for the district should not exceed 30% of the total combined household income.

If applicant's housing costs are assessed to exceed 30% of the combined household income, the applicant will qualify to join the Housing Register. If costs are assessed to be 30% or lower than the combined household income, the applicant will not qualify to join the Housing Register.

Applicants who own a property will be considered to have sufficient financial means and will not be eligible to join the Housing Register unless their circumstances show that the property is not affordable for them and there is either no equity or the equity does not exceed £30,000.

Applicants who have a shared interest in a property with a person not included on their application may need to resolve the ownership issue before an application will be considered. The Housing Solutions Team can assess and look at all available options. The assessment may include referring the applicant to Citizens Advice for advice.

Applicants who do not qualify to join the Housing Register because of their financial qualifying criteria will be provided with advice and information regarding alternative housing options including applicable low-cost home ownership products and private rented sector

accommodation.

A further check of the applicant's income and savings will be undertaken at the point of nomination. Failure to meet our financial assessment criteria at this stage will result in any proposed nomination being withdrawn and the applicant's Housing Register application being closed. It is therefore important that all applicants keep us updated with any changes to their household circumstances throughout the application process. The requirement to keep us informed of changes in circumstances is outlined further in Appendix 4.

Housing associations also carry out their own financial checks as part of the allocation process. If an applicant is found not to be eligible within their allocations policy, they will be advised in writing directly. In these circumstances further advice can be provided by our Housing Solutions Team.

### Financial exemptions

The following will be exempt from the financial criteria:

- Any lump sum received by a member of the Armed Forces evidenced as compensation for an injury or disability sustained on active service will be disregarded for the purpose of the financial resources qualifying criteria.
- where a member of the household has medical needs that require a specific type of adapted property
- Larger households who despite having an income exceeding £60,000 are assessed as being unable to afford market rents or purchase a home on the open market large enough to meet their needs. This assessment will be undertaken with regard to the Hart Bedroom Standard – see Appendix 3.
- Applicants who have been assessed as suitable for extra-care housing but don't meet our financial criteria, will be registered with reduced priority in Band C. Vivid Homes allocations criteria to check what financial means will also be checked.
- where Applicant 1 or Applicant 2 may be affected by health problems that will significantly limit the length of time they can remain in their employment, and this is likely to reduce the household income below the £60,000 threshold.

Financial limits will be reviewed periodically in line with the financial market.

### **2.14 Assessing applications**

All applications need to be made online however we can provide support if needed. Applications must be fully completed within 28 days of starting the process or they will be automatically deleted from the system, and the applicant will need to re-apply.

We will try and assess applications within 10 working days, once all the relevant information is received. All applications will be assessed for eligibility as per the criteria published. Proof of income and savings, local connection and housing need that reflect the Reasonable Preference criteria will also be required.

If an applicant is eligible and qualifies to join the Housing Register, their application will be registered and given a priority, or banded, according to individual circumstances and the effective date will be the date we received the fully completed application. For more information on our banding, please see Appendix 3.

Applications will be registered according to the size of home the household requires as per the Bedroom Standard detailed in Appendix 3.

Applicants will be placed into their assessed band and will be prioritised in effective date order (date of completed application). If an applicant moves up a priority band, they will take the effective date of the day the last piece of supporting information was received. Should an applicant be demoted then they will use their original effective date for bidding.

### **2.15 Exceptions to the bedroom standard**

There are some exceptions to the bedroom standard, and these include:

- Properties that have a separate dining room where it's been assessed as suitable for use as a bedroom, and 3-bedroom properties built to be suitable to accommodate 6 people, will be advertised to allow 3 and 4+ bedroom need applicants to apply, with priority given to 4 bedroom need households.
- Properties that have 3 bedrooms built to be suitable to accommodate five people will be advertised to allow 3 and 4 bedroom need applicants to apply where household size meets property size and makes best use of accommodation without causing statutory overcrowding.
- Where an applicant, or member of their household, is affected by a serious disability or medical condition that may indicate additional bedroom space is required, a medical assessment will be carried out to determine eligibility. This is at the discretion of the Nominations Officer/ Housing Solutions Manager to determine whether the medical evidence provided, suggests that it would be appropriate to award additional bedroom space on health grounds.
- Where the Council considers sufficient evidence has been provided by external health professionals to clearly demonstrate an additional bedroom space is not required, the Nominations Officer / Housing Solutions Manager has the discretion not to award additional bedroom space. This decision can be taken without recourse to the Independent Medical Adviser.
- In exceptional circumstances, tenants of Registered Providers who are under-occupying large family-sized properties may be considered for alternative accommodation that is larger than the Hart Bedroom Standard would ordinarily allow. For example, a single person or couple occupying 3- or 4-bedroom accommodation may be considered for a 2-bedroom property. This will contribute to making best use of housing stock locally. It will only be considered where Hart District Council would receive the resulting nomination rights to the vacated property. The decision will be taken with regard to affordability, the availability of family sized accommodation units, and all other competing demands at that time.
- Applicants who have staying access to dependent children, or shared residence orders, are not automatically entitled to bedrooms for those children. The Council recognises the need for a child to have one home of adequate size and will not usually accept responsibility for providing a second home for children.

In exceptional circumstances considering case specific factors, scarcity of housing in the district and the level of demand, will we consider awarding additional bedroom space for children who have access to an adequate home elsewhere. Additional bedroom in these circumstances can only be determined by us in consideration of the factors outlined above.

Additional space awarded on these grounds will be limited to no more than 1 bedroom above the applicant's basic requirement. Any decision to award additional bedroom space will be at the discretion of the Housing Solutions Manager.

Where the Bedroom Standard does not adequately account for a households' size and/or composition, for example:

- household members who do not ordinarily reside together
- extended families / family groups wishing to live together
- where there is a need for individuals, who may or may not be related to live together as a result of medical and/or a welfare ground(s) that can be evidenced;

The application will be assessed based on the individual circumstances of the case, the evidence provided and with reference to case law. Decisions in these circumstances are at the discretion of the Nominations Officer/Housing Solutions Manager.

Where additional bedroom space has been granted and a financial assessment demonstrates that an applicant will be unable to meet their housing costs, it may not be possible to make them an offer of accommodation. Housing associations may also refuse to offer a tenancy where the household will not be able to meet their immediate and ongoing housing costs.

In circumstances where it has been agreed that an applicant can be considered for larger accommodation, a further assessment will be carried out in line with the housing association's own policy at the point of any nomination being made to determine eligibility and/or affordability.

Anyone made ineligible or found to be a non-qualifying person for any reason will be provided with a full written explanation for the decision and can request a review of the decision.

See *Appendix 4* for further information about requesting a review of the Council's decision.

New applicants who are not considered to be a qualifying person, or those whose applications have been closed due to no longer meeting the qualifying criteria may make a fresh application 12 months from the date of the original decision/application closure if they consider their circumstances have changed so that they should be treated as a qualifying person. It is the applicant's responsibility to satisfy the Council that their circumstances have changed. No previous time waiting will be transferred to any new application and a new effective date will be given at that time.

## **2.16 Unacceptable behaviour**

Applicants will not qualify to join the Housing Register or remain registered if they or a member of their household are deemed to be guilty of unacceptable behaviour that is serious enough to make them unsuitable to be a tenant.

"Unacceptable behaviour" can include:

- Owing significant rent arrears and/or failing to comply with a current or past tenancy agreement with a Council, housing association or private landlord
- Causing nuisance and annoyance to neighbours or visitors

- Committing criminal offences in or near the home and still posing a threat to neighbours or the community
- Being violent towards a partner or members of the family
- Allowing the condition of the property to deteriorate
- Obtaining a tenancy by deception, for example by giving false or misleading information. An applicant already registered will cease to be considered a qualifying person and their application will be closed.
- Acts of violence and aggression towards employees or elected members of the Council will not be tolerated. Any applicant who threatens or uses violence towards any Council employee, elected member or contractor will be removed from the Housing Register

In determining whether a person does not qualify due to 'unacceptable behaviour,' the Council will consider:

- If any member of the applicant's household has been guilty of unacceptable behaviour,
- If the unacceptable behaviour were serious enough that a court would have awarded the landlord possession based on the behaviour,
- At the time of the application, if the applicant or a member of the applicant's household is still unsuitable to be a tenant due to that behaviour,
- If the applicant is a victim survivor of Domestic Abuse and this was a contributing factor.
- Any exceptional circumstances that need to be considered.

The applicant can reapply as a qualifying person 2 years from the date of their application refusal or closure, providing all other eligibility and qualifying criteria are met, improvement in behaviour can be demonstrated and housing-related debt cleared.

### **2.17 Housing Needs Qualifying Criteria (Reasonable Preference):**

Households who are assessed to have Reasonable Preference as defined in Part 6, Housing Act 1996 will qualify to join the Housing Register. For the purposes of the Allocations Policy, Reasonable Preference means housing need.

Section 166A of the Housing Act 1996 defines reasonable preference in the following way:

- People who are homeless (within the meaning of Part 7 of the Housing Act 1996 (as amended))
- People who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3)
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds
- People who need to move to a particular locality in the district of the authority where failure to meet that need would cause hardship (to themselves or others)



- Those meeting the criteria set out in s374 of the Armed Forces Act 2006

Exemptions to the Reasonable preference criteria:

- Single applicants or couples over 55 years of age who are applying for older person's accommodation.
- Applicants in private rented sector accommodation are considered to be in 'Reasonable Preference'.
- Applicants serving in the regular forces or who have served in the regular forces within five years of their discharge. For households meeting these criteria who have no housing need, the application will be placed into Band D.
- Where an applicant has succeeded to a tenancy, and the housing association intends to exercise the right to obtain possession by offering alternative accommodation to make best use of housing stock and meet housing needs, the applicant will be classed as an 'eligible successor' and placed in Band A and supported to bid.

## 2.18 Medical and ground floor need assessments

Medical assessments will be carried out under the banding assessment criteria. Eligible and qualifying applicants will be required to complete the 'Medical Grounds' section of the application form and provide supporting information for an assessment to be carried out where the following criteria are met:

- There is a link suggested between the applicant's (or member of the applicant's) health and their housing.
- Where a negative effect to health is being directly caused by the current housing circumstances.

On receipt of a completed medical assessment our Nominations Officer/Assistant Nominations Officer will carry out an initial assessment to determine whether there is sufficient evidence to assess, or whether it is appropriate for the application to be referred to the Independent Medical Adviser for further advice.

The Council's Independent Medical Adviser may not be involved in every case and the decision to refer to the Medical Adviser is at our discretion. A referral to the Medical Adviser **will** be made in the following circumstances:

- Where an application is requiring assessment for placement into Band A or B under medical needs only, and further advice is required.
- Where an applicant is requesting assessment for ground floor/level access accommodation, or additional bedroom space and further advice is required.

A referral **will not** be made to the Medical Adviser if:

- An applicant is requesting assessment to move into a higher banding. This will be assessed by the Nominations Officer/Assistant Nominations Officer.
- Band A or B award has already been agreed on medical or welfare grounds.
- Sufficient evidence has been provided confirming an applicant's need for ground floor accommodation, and Band B priority has been awarded.

- An applicant is requesting assessment for ground floor/level access accommodation, or additional bedroom space and sufficient evidence has been provided to assess this need without further advice.

The decision to award applicants' additional priority, additional bedroom space (see also *Appendix 4*) or ground floor accommodation, is at the discretion of the Nominations Officer/Assistant Nominations Officer and Housing Solutions Manager.

Applicants will be advised of the outcome of the medical assessment in writing.

Applicants who do not meet the local connection criteria, will not be considered for a medical assessment.

#### Essential medical need for ground floor accommodation

Where an applicant or other professional involved in the applicant's care identify that there may be an essential requirement for ground floor accommodation, supporting information will need to be provided. This should be by an appropriate medical professional, for example, a doctor or occupational therapist. We will then undertake an assessment of the applicant's essential need for ground floor/level access accommodation and banding priority based on this need. It may involve a referral to our Independent Medical Adviser as outlined above, however the decision to award applicants' additional priority, additional bedroom space or ground floor accommodation, is at our discretion.

If we are satisfied that ground floor level access accommodation is required, the application will be placed in Band B where the following criteria is met:

- The applicant currently lives in a flat or maisonette above the ground floor with no access to a lift; or
- The applicant lives in a house with an internal staircase.

Band B will only be considered when applicants 'bid' for accommodation which is advertised with a ground floor need preference. Where applicants apply for non- ground floor accommodation, the Band B preference will not be considered, and the applicant will retain their original banding priority.

For applicants who have a confirmed essential ground floor need but who are already residing in ground floor accommodation, there will be no change to the application's banding priority.

Due to the scarcity of 3- and 4-bedroom ground floor properties, applicants who have been awarded Band B priority with an assessed essential ground floor need will be considered for 3/4-bedroom houses which are assessed to be suitable to adapt to meet their needs. It may be necessary for an Occupational Therapist to view any prospective property to determine suitability.

The essential need for ground floor accommodation will be recorded and this will be considered when the applicant applies for properties which are advertised with a ground floor preference.

When ground floor general needs properties (bungalows, ground floor flats or maisonettes with no age restrictions) are advertised, the advert will explain that preference may be given



to an applicant with an essential medical need for ground floor accommodation. In these cases, priority will be awarded in the following order considering the applicant's effective date within the allocated band:

1. Applicants with a Band A priority who have an assessed ground floor need
2. Applicants with a Band A priority regardless of assessed ground floor need
3. Applicants with a Band B priority who have an assessed ground floor need
4. Applicants with a Band B priority regardless of assessed ground floor need
5. Applicants with a Band C priority who have an assessed ground floor need
6. Where there are no Band C applicants assessed as having a ground floor need, the property will be allocated based on band priority and effective date.

In circumstances where an applicant is dissatisfied with our assessment of their medical needs in relation to their housing circumstances, they can request that we reconsider the decision. See *Appendix 4*.

## **2.19 Extra-care housing**

Hart's extra-care housing scheme offers independent living to applicants age 60+ with care and support needs through the allocation of self-contained flats with the provision of on-site care.

To sustain a well-balanced and active community, properties within the scheme are allocated to maintain an equal balance of care need levels. This is processed in line with the Allocations Agreement developed by partners; Hampshire County Council, Vivid Homes, and Hart District Council.

Interested applicants will undergo a care and support assessment. A care need level will be determined by the number of hours for which care and support is required and it will be confirmed by Adult Services that a care package is required and categorised based on the required total care hours per week.

- Low care need - 0 - 5 hours
- Medium care need - 6 - 9 hours
- High care need - 10+ hours

Where an applicant has no confirmed care need, but has a support need, applicants will be assessed as meeting the low care need criteria.

Vacant extra-care properties are advertised alongside all other available vacancies through the Choice Based Lettings scheme. The system will only allow applicants assessed as eligible for extra-care housing to apply for these vacancies.

Vacancies will be advertised with preference given to the appropriate care need level (low, medium, or high) depending on the current balance of existing tenants care needs within the scheme at that time, to maintain an equal balance of care need levels.

All applicants who have been accepted on to the waiting list for extra care are added to the auto-bid system and 'bids' are placed on all available extra care accommodation on their behalf.

## **2.20 Rural housing**

Housing schemes that have been developed on Rural Exception Sites will be allocated in accordance with strict local connection criteria as defined in the relevant Section 106 agreement. These properties will be advertised with clear text advising applicants that they will be subject to such criteria and will consider the Hart Bedroom Standard. They will be let at maximum capacity where possible to make best use of stock.

Applicants who meet the strong connection criteria as outlined in the S106 agreement may be nominated in favour of other shortlisted applicants who are registered with higher priority.

Decisions will be made based on local connection and housing need as represented by Housing Register band. In cases where the two criteria listed below are met, 2-bedroom rural exception site properties may be advertised to allow 1 and 2 bedroom need households to apply. Where there are two applicants with equal strength of connection and registered priority band, priority will be given to the 2 bedrooms need household to make best use of stock.

- No one bedroom rural exception site properties are identified as likely to be available in the parish within a six month period (from the point of the property being ready to let and an advert placed on the Choice Based Lettings system,
- An applicant on the Housing Register, eligible for a 1-bedroom property, meets the strong local connection or close association criteria defined in the 106 agreements for that scheme.

As with all other nominations, the assessment process will include a financial assessment of affordability. This is significant considering potential under-occupancy and potential associated cost implications for the applicant(s).

Rural Exception schemes have been developed in the following localities at time of publication: Crondall, Crookham Village, Eversley, Heckfield, Long Sutton, Rotherwick, South Warnborough and North Warnborough.

## **2.21 Local lettings plans**

When allocating properties on new housing developments, certain preferences and restrictions may be applied through the advertising process to establish a balanced community by including a mix of applicant types and household sizes.

Where it is determined appropriate to apply restrictions, a Local Lettings Plan may be developed. Decisions on the percentage of properties affected by the restrictions will be dependent on size of the development, housing register make-up and demand for housing at that time.

A Local Lettings Policy may provide preference to a certain percentage of applicants in employment and may allow family sized homes to be allocated under maximum occupancy by one person to reduce child density.

## **2.22 Fostering & adoption**

Hart District Council works in partnership with Hampshire County Council to support

households who are seeking to foster and adopt children. We have agreed a joint protocol & procedure with the County Council that outlines what assistance we may be able to offer households who are seeking to foster or adopt children, and who meet the relevant criteria.

### **2.23 Renewals and reviews**

Applicants who have been awarded Band A priority are subject to review every 3 months and those in Band B every 6 months, by the Nominations Officer.

Other Banding applications will be renewed on an annual basis. On the anniversary of registration applicants will be sent a renewal letter and prompted through their Hart Home Connections account to confirm that they still wish to remain on the Housing Register and provide an update of any change in their household's circumstances.

Applicants are responsible for maintaining their application and ensuring renewals are completed annually. Applicants who don't respond to a renewal request within 28 days will have their applications closed. A new application will need to be submitted should they wish to be considered for housing association accommodation through the Hart Housing Register in future, except for in exceptional circumstances and agreed by the Nominations Officer/Housing Solutions Manager.

New applications received from those who had previous applications cancelled due to failure to respond to a review request, will not have effective dates backdated other than in exceptional circumstances.

Any review of the decision to demote an applicant's band award following a review will be carried out by the Housing Solutions Manager.

## **Part Three - Bidding**

### **3.1 Automated bidding and private rented sector offers**

Hart's Home Connections system can make bids on behalf of applicants automatically. This will be applied in certain circumstances. There may be areas that are excluded from consideration for automatic bidding and will be named on the household's housing application in the 'requirements' section of the form.

Every effort will be made to place applicants where they would prefer to live, but our main duty to homeless households is to move them on from temporary accommodation into more settled housing solutions. This enables us to continue to discharge our statutory homelessness functions effectively and offer future households a decent standard of temporary accommodation within the district. Applicants may refuse one offer of accommodation within a 1 month rolling period, but if they refuse a second within 12 months, they will be suspended from bidding for a 12-month period.

Households to whom we have accepted a statutory homeless duty under sections 193(2) or 195(2) of Part 7 Housing Act 1996 (as amended) will be considered for suitable private rented sector properties as they become available. These may be offered to accept homeless households to end the main housing duty. Hart's Private Rented Sector Offer (PRSO) Policy outlines Hart's approach to compulsory end of duty PRSOs – please see [Private renting | Hart District Council](#) . Applicant households have the right to request a review of the suitability of accommodation offered as a compulsory end of duty PRSO.

Households to whom the Council has accepted a statutory homeless duty under sections 193(2) or 195(2) of Part 7 Housing Act 1996 (as amended), and those owed a prevention duty under the Homelessness Reduction Act 2017, may be placed on automatic bidding through the Hart Housing Register 3 months after the date their homelessness application was accepted (if they have not already secured accommodation through the Hart Home Connections CBL system, for themselves, or as a result of a compulsory PRSO). If they are offered suitable accommodation through the Housing Register, this will end the main housing duty. Applicants have the right to request a review of the suitability of accommodation offered through the Housing Register to end the main homelessness duty.

### **3.2 Bidding for applicants occupying temporary accommodation**

For households residing in Hart's temporary accommodation scheme, automatic bidding may commence 3 months from the tenancy start date if this is earlier than the date their homelessness application was accepted if applicants are not bidding themselves on all suitable available properties.

One suitable offer of accommodation will be made. If this is refused by households in temporary accommodation, we may end our duty under homelessness legislation and possession proceedings will commence. The Hart Housing Register application will be suspended until they have vacated the temporary accommodation provided for them. If a change of circumstances form is not subsequently completed within 28 days, the Housing Register application will be closed.

Applicants affected by the above paragraphs will be advised of their right to request a review of the suitability of the accommodation offered. *This advice will be provided prior to the applicant deciding to refuse the property, so that they are aware that they can accept the property AND request a review.*

### **3.3 Engagement with the Housing Solutions Team**

An applicant who is not engaging with the Housing Solutions Team will have their Housing Register application priority reduced to Band D until we are satisfied that they are engaging. Not engaging means:

- Not actively bidding for properties.
- Bidding for suitable properties and then withdrawing bids.
- Not attending arranged Housing Options interviews.
- Not contacting the Housing Solutions Team when a Housing Solutions Officer has written or called to discuss their case.
- Not responding to contact from support agencies.
- Not actively exploring realistic move on options (such as finding private rented sector accommodation or alternative options) and therefore relying solely on the Housing Register for future housing.
- Not realistically managing income and expenditure.
- Not adhering to House Rules for any temporary accommodation provided or breaching the terms and conditions of their tenancy in any way.

## **Part Four**

### **5. Equal Opportunities**

Hart District Council's aim is to ensure that no-one applying for housing is treated less favourably for any reason. We are committed to giving equality of opportunity and ensuring that we don't discriminate on grounds of sex or sexual-orientation, gender reassignment, gender identity, marital status, race, religion or belief, age, disability, pregnancy, or maternity, social or economic status, responsibility for dependents, trade union membership or unrelated criminal conviction.

To assist in ensuring that we are administering the Housing Register fairly, applicants will be asked to complete monitoring questions throughout their application. This information will be treated in the strictest confidence, and it will not affect applications in any way.

This policy is compatible with the Council's equality and diversity duties.

### **4.2 Data Protection**

All information held by the Council is subject to the General Data Protection Regulation 2018 and therefore all personal information will be held and shared in line with the Council's privacy notice and retention policy.

Applicants are entitled to request a copy of the information held about them through a subject access request. This can be requested in writing or verbally and requests will be dealt with in line with the Council's subject access request process.

Applicants will be required to confirm that they have read and understood the declaration statement and that the information being provided is true and accurate for an application to be progressed. Applicants found to have provided false or misleading information will be subject to section 171 of the Housing Act 1996 which makes it an offense for anyone to knowingly give false information or to withhold relevant information. If a tenancy is granted as a result of a false statement, Ground 5, Schedule 2 of the Housing Act 1985 (as amended by Section 146 of the Housing Act 1996) makes it possible for action to be taken to seek possession.

The Council must protect public funds and so information provided may be used to detect fraud and shared for the same reasons to other organisations who handle public funds.

### **6. Complaints**

Complaints will be dealt with in accordance with Hart's Complaint policy and is available on our website.

If an applicant remains dissatisfied having been through the Complaint policy, they can contact the Local Government Ombudsman. The procedure can be downloaded here [Ombudsman Procedure-making-a-complaint](#)

The Local Government Ombudsman  
PO Box 4771  
Coventry CV4 0EH

Tel: 0300 061 0614  
Fax: 024 7682 0001

**Contact Us:**

Housing Services  
Hart District Council  
Civic Offices  
Harlington Way  
Fleet  
GU51 4AE

Telephone: 01252 774420  
Email: [housing@hart.gov.uk](mailto:housing@hart.gov.uk)

## Appendix 1 – Legislation

When framing the allocations scheme for Hart, the District Council has also had regard to:

- The Housing and Regeneration Act 2008 and all other relevant legislation
- Housing Allocations - Members of the Armed Forces (circular 04/2009), April 2009 (as amended January 2021)
- Equality Act 2010 (as amended August 2023)
- Armed Forces Act 2006
- The Armed Forces Covenant Act 2021
- Part 7 of the Localism Act 2011
- The Allocation of Housing (Qualification Criteria for Armed Forces Personnel) (England) Regulations (SI 1869/2012)
- Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 (SI 2989/2012)
- Welfare Reform Act 2012 (as amended August 2023)
- Immigration and Asylum Act 1999
- Care Act 2014
- The Hart Housing Strategy 2020 - 2025
- The Council's Tenancy Strategy 2023 - 2028
- The Hart Homelessness and Rough Sleeping Strategy 2022- 27
- Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (No. 2) Regulations 2018 ('the Amendment Regulations').
- [The Allocation of Housing \(Qualification Criteria for Armed Forces\) \(England\) \(Amendment\) Regulations 2024](#)
- The Hart Private Rented Sector Offer Policy (relating to end of duty options for households accepted under the provisions of the Housing Act 1996, Part 7 as amended by the Homelessness Act 2002 Localism Act 2011 and Homelessness Reduction Act 2018
- Benefit guidance - [Child-Benefit](#)
- The Council's Corporate Plan
- Existing case law
- Statutory guidance -
  - Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England - December 2013
  - Allocation of Accommodation: Guidance for Local Housing Authorities in England – October 2023



## Appendix 2 – Bidding and Support for Vulnerable Customers with Bidding

Applicants will only be considered for a property that is of a suitable size and type for their specific household requirements as outlined in the Allocations Policy. The household that bids with the highest priority will be offered the property and invited to view it.

When properties are due to become vacant, they will be advertised on a weekly cycle through Hart's website [Hart-home-connections](#). Details provided may include:

- Who owns the property and whether it is a specialist landlord
- Size and type of property
- Availability of a lift (if appropriate)
- Type of heating
- Any special features
- Parking facilities and if there is a garage
- If there is a garden, and whether it is communal or for the property's sole use
- Weekly rent including any other charges
- Council Tax Band
- Local facilities, for example, access to shops, schools, public transport
- The date the property is likely to be ready for occupation (if known)
- If the property is subject to Section 106 Rural Exception criteria
- Type and length of tenancy offered i.e. Assured, Assured Shorthold, Fixed Term etc
- Type of rent level set i.e. Affordable, Social, Market Rent

Each property advertised will show the eligibility criteria for that property. This will normally include the:

- Minimum and maximum numbers of persons in the household
- Size and type of household the property is suitable for
- If applications are restricted to particular households, for example, where properties are adapted for the disabled, or within supported housing schemes, housing for older persons or where they are subject to Section 106 Rural Exception criteria. Properties may also be advertised with priority given to households who are under-occupying family sized social rented homes.
- If pets are allowed

### Bidding

All applicants registered on the Hart Housing Register are eligible to make three bids per advertising cycle, providing they have not already accepted the offer of another property.

Applicants will be actively encouraged to bid for properties where they are eligible. The system is configured so that wherever possible eligibility is defined, and ineligible applicants are unable to bid inappropriately.

Bidding will open from Midnight Thursday and remain open until Midnight Sunday, each week.



Applicants will be able to bid through:

- Website - [Hart-Home-Connections](#)
- Smartphone App
- A smart speaker e.g. Alexa

All bids must be made before the deadline on the advertisement otherwise they will not count. If a bid cannot be placed due to a system failure that has prevented a bid being made during the weekend, then a bid can be placed retrospectively if a call is logged with the Council before 9:30am on the following Monday morning. In exceptional cases, a back-dated bid can be considered by the Nominations Officer/Housing Solutions Manager where a genuine reason for the applicant being unable to bid during the open bidding cycle has been confirmed.

Support for vulnerable customers with bidding

Applicants with support needs and those that have difficulty with written English (including where English is not their first language) will be assisted and shown how to access the bidding system. The Housing team will provide advice and assistance to advocates in understanding and expediting the bidding process for their clients.

Where applicants who would be expected to be bidding are either not doing so or are bidding infrequently, they will be contacted and offered assistance where appropriate.

Vulnerable applicants will be identified through direct contact with the Housing team, from application forms, advice from support workers or advocates, and by establishing with non-bidding applicants (or infrequent bidders) whether they are experiencing any difficulty accessing the scheme.

Types of support that can be offered:

- Regular contact from staff to offer advice, information, and support.
- Identified support worker from an external agency to provide advocacy and support.
- Identified Floating Support Worker to provide advocacy and support.
- Proxy bids to be made on behalf of applicants by advocate or support worker.
- Proxy bids to be made by staff based on the preference provided by the applicant, this will include preference for location and property type. Where an applicant is eligible for more than 3 properties during the same bidding cycle, bids will be placed on the vacancies which applicant is placed in the highest position on at the time of the bids being placed.

Reports can be produced through the Housing Register and CBL IT system to assist in targeting those applicants who are failing to bid to identify vulnerable groups who should be participating.

## Bidding Restrictions

An applicant may bid for up to 3 properties per advertising cycle. During the advertising cycle, applicants can switch bids between properties. All bids are however, fixed at the close of the advertising cycle.

If an applicant has been nominated to a property they have placed a bid on, they will be suspended from further bidding unless they reasonably refuse the offer of accommodation or the nomination is unsuccessful. Similarly, they will no longer be eligible to bid once they have accepted the property offered – at this point their application will be cancelled and marked 'Housed'. If it is confirmed by the housing association that there will be a significant delay in a property being available for let, the Nominations Officer has discretion to allow an application to be activated allowing the applicant to continue bidding whilst remaining nominated for the original vacancy.

Some classes of applicant may be excluded from bidding for properties directly:

- Where the Council considers they should receive a 'direct offer'
- If they are unable to use the scheme for some reason and they do not have another person who can assist them in doing so – in these circumstances, the applicant can elect for Housing Services staff to bid for them.
- Where they deliberately fail to comply with the scheme guidelines.

## Shortlisting, Nominations and Offers of Accommodation

On expiry of a bidding cycle, a shortlist of applicants for each property is created. This is a list of eligible bidders at the close of the bidding cycle. It should not subsequently be changed or amended unless the property is re-advertised, or appropriate filters are applied to identify the most appropriate applicants for a particular property, (for example, adapted properties or those subject to rural exception criteria).

Bids are considered in priority order - the applicant in the highest band and with the earliest effective date (the date the applicant was placed into their current priority band) will be considered first.

In rare circumstances, when more than one applicant applies for the same property, and are registered with the same priority band and effective date, an offer of accommodation will be made taking into account household's individual circumstances, as well as the prevailing housing circumstances in the district and the various competing demands for vacancies at that time.

Where multiple bids are received for the same property from applicants who have been registered with the same band award and effective date, priority will be given in order of how long each applicant has resided at their current accommodation (determined by applicant's tenancy start date as recorded on the housing register application).

Where advertised properties do not generate sufficient numbers of interested applicants (for example, less than 5 applicants have selected it), the Housing Solutions Manager, in consultation with the landlord Registered Provider, has the discretion to relax the eligibility criteria where appropriate. This may, for example, mean reducing the age restriction

criteria for an older persons housing vacancy. The property may also be re-advertised in another cycle.

In consultation with partner Registered Providers, properties that attract no bids locally may have nominations requested from other Local Housing Authorities. (It is considered unlikely that a property advert will ever reach this stage).

In cases where there are no eligible bidders for a property, the Housing Solutions Manager, in consultation with the landlord Registered Provider may decide to consider an applicant who has placed a bid but does not meet the eligibility criteria, or to make a direct offer.

If an applicant has the highest priority for more than one property in a given cycle, the decision regarding which property to nominate to is at the Council's discretion and with consideration of the prevailing housing circumstances in the District and the competing demands for available vacancies. Where possible, the applicant should be contacted and asked to express their first preference and a nomination made accordingly, but this may not always be possible.

Once a shortlist has been created, the Nominations Officer will carry out any verification that may be required. If the applicant is either ineligible for an offer or the required documentation to verify their circumstances is not provided, the Nominations Officer can overlook the applicant and move on to consider the next applicant on the shortlist.

This process will continue until the Nominations Officer has identified the applicant with the highest priority from the shortlist and is satisfied they are eligible and their circumstances are correct. The nomination will be agreed and signed off by the Housing Support Manager.

The applicant's details will be forwarded to the relevant landlord who will arrange for the applicant to view the property. If the highest priority applicant refuses the property, the Council will select the next highest priority applicant based on the process outlined above and from the same 'snapshot' shortlist. The landlord then invites the next applicant to view, and so on, until an applicant accepts the accommodation. This process can be reviewed if resulting refusal rates are high and Registered Provider void times are affected.

## Appendix 3 – Hart Bedroom and Banding standards

### Bedroom Standard

Our Bedroom Standard is aligned to the current regulations affecting bedroom entitlement for the purposes of Local Housing Allowance and Housing Benefit. It also reflects the bedroom entitlement that will be used for the purposes of assessing the housing component associated with rental liability within Universal Credit.

Applicants with a pregnant household member will not have their bedroom requirement reviewed until the baby is born and a copy of the birth certificate for the child has been received.

For any child (or children) to be included on a Housing Register application as part of the household, proof that Child Benefit is being received for all children will be required. Applicant 1 or Applicant 2 must be the named recipient of the Child Benefit.

This Standard determines the appropriate bedroom size for households who are accepted on the Hart Housing Register in the following way:

- A single person – Studio Flat or 1 bedroom property
- A couple – 1 bedroom property
- Pregnant woman with or without partner, and no other children – 1 bedroom property
- Parent(s) with one child – 2-bedroom property
- Parent(s) with two same sex children where both children are under 16 years old – 2-bedroom property
- Parent(s) with one girl and one boy both under 10 years old – 2-bedroom property
- Parent(s) with one girl and one boy where one child is over 10 years old – 3-bedroom property
- Parent(s) with two same sex children where one child is over 16 years old – 3-bedroom property
- Parent(s) with three children regardless of age or sex – 3-bedroom property
- Parent with 4 children/2 adults with 3 children – 3- or 4-bedroom property
- Households of 6+ - 4 or 5 bedrooms

Banding standard

### **BAND A – Additional preference criteria**

This is for reasonable preference cases with an additional priority.

This band is only granted in exceptional circumstances. These are time limited and will be actively managed and reviewed every 3 months. This does NOT apply to those downsizing to free up larger homes.

#### Criteria 1

Emergency Medical and/or disability because current accommodation is wholly inappropriate to occupy and the medical and/or disability issue is being directly, and negatively, impacted by housing circumstances. For example:

- Discharge from hospital and property completely unsuitable for applicant to return to and no suitable adaptations can be made within a reasonable timescale.
- Recommendations from Hampshire Social Care Services where there is an urgent need for the household to be provided with alternative accommodation.

#### Criteria 2

Exceptional circumstances on welfare grounds with supporting evidence. For example:

- Exceptional need to move with substantial evidence to show that to stay would be life threatening but a move into alternative accommodation could not be achieved in a reasonable timescale
- An applicant has been nominated via the National Witness Mobility Service

#### Criteria 3

Severe Environmental Health grounds that cannot be rectified within a 12-month period. For example:

- Extreme disrepair as assessed by Hart's Private Sector Housing Team
- Closure / Demolition Order

#### Criteria 4

Emergency Strategic Lettings (Council needs to move tenant to create vacancies within the housing stock). For example:

- Emergency Decants
- Management Transfer
- Successions with notice served (eligible successor)
- Transfer applicants under-occupying a home by 2 or more bedrooms and the Council has the nomination rights to the resulting vacancy (applicants transferring from older persons/sheltered accommodation will be assessed for additional priority on a case-by-case basis)
- To release an adapted property (subject to certain qualifications and the Council

has the nomination rights to the resulting vacancy)

- A social tenancy joint tenant, who remains in occupation following service of a Notice to quit ending their joint tenancy and is under occupying the property and eligible for an offer of alternative accommodation. This will not apply if the remaining occupant has been in breach of their conditions of tenancy to an extent that the Council had already secured a Possession Order, or where the departing tenant had been forced to leave due to domestic abuse.

#### Criteria 5

- Member of the regular or reserve armed forces, or former service personnel, suffering from a severe injury, illness or disability which is wholly or partly attributable to their service.

#### Criteria 6

- Exceptional circumstances agreed by the Executive Director - Communities following a recommendation by the Housing Solutions Manager.

### **BAND B – High preference criteria**

These are reasonable preference cases with a higher priority. These are time limited and all cases actively managed and reviewed every 6 months.

- Household with no security of tenure with dependent child (or children) and sharing facilities within their accommodation. This includes those in HMO (House in Multiple Occupation) accommodation or sharing with family or friends.
- A Registered Provider tenant of a Hart District property who is willing to move to smaller accommodation and still under occupy by a maximum of one bedroom.

#### Criteria 1

Urgent need to move on medical or disability grounds; accommodation is not wholly inappropriate, but it is unable to address a major proportion of the applicant household's housing needs.

#### Criteria 2

Urgent need to move on welfare grounds. For example:

- A confirmed current need to live within five miles of a specialist medical facility or special school
- A confirmed current need to live within five miles of family to receive / provide essential support

#### Criteria 3

Priority overcrowding. For example:

- Assessed as being statutorily overcrowded and the accommodation was originally suitable for the household's needs at the start of the tenancy/date when applicant

moved into property

- An occupant of a one-bedroom self-contained property where parent/s have to share their bedroom with a child aged three or older.

#### Criteria 4

Priority prevention of homelessness cases. For example:

- A homeless household towards whom the full duty has been accepted by Hart District Council under Section 193 of the Housing 1996 (as amended)
- Former tenants that voluntarily gave up their tenancy for special reasons by agreement, and are now ready to be re-housed, and otherwise would become homeless (for example hospital, rehabilitation, supported accommodation, care)

#### Criteria 5

##### High Priority Strategic Lettings

- Move on from supported housing (whereby the resulting vacancy is released back to Hart District Council) or to make best use of supported accommodation available on a case-by-case basis
- Agricultural Dwelling-House Advisory Committee (ADHAC) cases - where an agricultural worker resident in the district is to be displaced and is entitled to re-housing under the Rent (Agriculture) Act 1976
- Transfer applicant under-occupying by one bedroom with the Council having nomination rights to resulting vacancy (applicants transferring from older persons/sheltered accommodation will be assessed for additional priority on a case-by-case basis)
- Separated households (2 existing social housing tenants wishing to become 1 household and neither property is suitable for the household to live in - releasing both properties for re-letting by the Council)
- Special reciprocal arrangements with other Councils/housing associations

#### Criteria 6

##### Fostering & Adoption

- Applicants who have been assessed as meeting the requirements of the Joint Fostering and Adoption Protocol

### **BAND C – Reasonable preference criteria**

This is for other reasonable preference cases and those with an identified housing need.

#### Criteria 1

A link between an applicant's health and housing has been established however no confirmation provided that an urgent move is required.

#### Criteria 2

Homeless households. For example:

- Households owed the main housing duty under s193 Part 7 Housing Act 1996 (as amended)
- Households owed a duty in line with the council's prevention and relief duties under the Homeless Reduction Act 2018.
- Other unintentionally homeless households
- Applicants who are of No Fixed Abode (NFA) or who are at risk of rough sleeping and are actively engaged (see Section 8 for definition) with the Council's Engagement & Support team and with any resettlement plan
- Applicants who have been asked to leave their current accommodation through no fault of their own
- Residents of Hart's temporary accommodation scheme

#### Criteria 3

Overcrowding – lacking bedroom(s) in accordance with the Hart Bedroom Standard but not assessed to be statutory overcrowded.

#### Criteria 4

People leaving care - Hampshire County Council Care Leaver/person leaving care in line with the criteria set out in Section 8 who has been assessed as ready for move on into independent accommodation.

#### Criteria 5

Applicants assessed as suitable for sheltered/extra-care housing

#### Criteria 6

Applicants ready to move on from hostels or similar accommodation and/or applicants in supported housing.

Band C award following a written recommendation from the housing and/or support provider confirming that the applicant has engaged with support and is ready for independent living. For example:

- Refuge accommodation for people fleeing violence or abuse
- single person's hostel
- Move on from supported accommodation where Hart does not have rights to the resulting vacancy

#### Criteria 7

Applicants who need to move to a particular locality in the district of the local authority, where failure to meet that need would cause hardship (to themselves or to others). For example:



- The applicant has permanent employment which they cannot continue unless they live within a specific locality within the area and are otherwise adequately housed.
- The applicant needs to live within the district to be near friends or relatives to provide or receive essential care or support.

#### Criteria 8

Other Strategic lettings – where reasonable preference does not apply but we wish to give extra priority.

- Tenants in private rented accommodation (Assured Shorthold Tenants and those on License)
- Tied tenants seeking alternative accommodation
- Transfer applicants in existing social housing with no reasonable preference but the resulting vacancy would be given back to HDC
- Homeowners and shared ownership applicants who have a need to move into larger accommodation but do not have the financial capacity to do so in accordance with the financial criteria in Section 9.

#### Criteria 9

##### Right to Move

- Social Housing tenants living in another local authority area within England and having an assessed need to move to the area to take up or continue employment within the district in accordance with the criteria set out in Section 8

### **BAND D - Reasonable preference with reduced priority criteria.**

#### Criteria 1

Applicants that are not engaging with the Housing Solutions Team or other relevant services.

#### Criteria 2

Social housing tenants from outside the district where Hart District Council has no nomination rights to the property.

#### Criteria 3

Applicants who are serving in the regular forces or who have served in the regular forces within five years of the date of their application, and have been registered without “Reasonable Preference”

#### Criteria 4

Applicants who have lost their previous accommodation due to a deliberate act or omission on their part but are not excluded by the qualifying criteria set out in Appendix 5.

Applicants who are placed in Band D on this basis will remain in this band for an initial period of 12 months from the date the tenancy ended

## Criteria 5

Applicants who have deliberately worsened their circumstances within the last 2 years to gain advantage on the Housing Register and have therefore been demoted in their housing band placement.

This includes deliberate actions and failure to take reasonable actions or to follow advice which would prevent homelessness or otherwise improve the applicant's housing circumstances. For example:

- Failing to take up a suitable offer of private or social rented accommodation
- Failing to bid for suitable accommodation that was available through the Hart Home Connections CBL system, and that the applicant would have successfully secured had they placed a bid
- Selling a property that is affordable and suitable for the applicant's needs
- Choosing to move from suitable secure and settled accommodation to insecure or less settled accommodation
- Choosing to move from suitable secure and settled accommodation into an unsuitable or unsustainable arrangement, including overcrowding
- Requesting or colluding with a landlord, friend, or family member to issue a notice to quit
- Deliberately overcrowding a property by choice
- Deliberately withholding rent or failing to adhere to tenancy conditions
- Becoming intentionally homeless from accommodation because of a deliberate act or omission
- Having been found to be intentionally homeless by a local authority

Applicants who are placed in Band D on this basis will remain in this band for an initial period of 12 months from the date of placement in Band D

## Criteria 6

Single or couple 55+ registered as a result of a qualifying criteria exemption

## **Appendix 4 - Reviews**

Section 166A (9) of the 1996 Housing Act includes the following rights for applicants in respect of their Housing Register application:

- i. The right to request that the authority inform them of any decision about the facts of their case which is likely to be, or has been, considered when deciding whether to allocate housing accommodation to them; and
- ii. The right to request a review of a decision mentioned above, or in section 160ZA (9) of the 1996 Housing Act (relating to decisions regarding whether an applicant is eligible and/or a qualifying person) to be informed of the decision on the review and the grounds for it.

Applicants can therefore ask for a review of the following decisions about their Hart Housing Register applications:

- That they are not eligible or do not qualify to join the Housing Register
- If their details are removed from the Housing Register
- When they are made an offer of accommodation and do not consider that the accommodation is suitable for their needs
- There are changes to their priority banding, for example priority is reduced
- They are unhappy with their banding priority
- They are overlooked within their band

Please note the Council cannot hold up a nomination for a property whilst a review of banding or an applicant's circumstances is completed.

Review requests should be put in writing to the Council and should be received within 21 days of notification of a decision.

Reviews will be conducted by a member of staff not involved in the original decision, and who is senior to the member of staff who made the original decision.

It is acceptable for a review request to be submitted by a representative on behalf of the applicant. The Council will require confirmation from the applicant that this is the case.

Reviews will be considered based on this Allocations Policy, legal requirements, and all relevant information available at the time of the review, including information provided by the applicant or the applicant's representative.

The Council will determine the review within 56 days of the request, or such longer period as may be agreed with the applicant.

Applicants will be notified of the outcome of the review in writing, including the reasons for the Council's decision.

If the applicant remains dissatisfied following the outcome of a review, they can contact the Local Government Ombudsman or instigate judicial review proceedings.

No applicant is prejudiced in relation to statutory rights not included herein.

### **Medical review requests**

For a review of a medical assessment to be considered, the applicant will need to put their

reasons in writing within 14 days of the original decision and provide any relevant additional supporting evidence to be considered.

Where the original assessment was carried out by the Council without input from the Independent Medical Adviser, an assessment will be carried out by the Independent Medical Adviser and a review of the original decision carried out based on the recommendations provided.

Where an assessment has already been carried out by the Independent Medical Adviser, a review will be carried out by the Housing Solutions Manager based on all available information at the time of the review to determine whether the original decision will be upheld. This could mean no change to the applicant's existing priority banding award, or the banding priority could be increased or decreased, depending on the outcome of the re-assessment.

There is no further stage in this process and the decision here is final. Only where there has been a substantive change in circumstances will the Council undertake further medical assessment and based on new evidence.

## Appendix 5 - Reduced Priority, Suspension and Closing Applications

In certain circumstances we can decide to reduce the priority of an application, suspend it from being actively considered, or close it down.

Circumstances where Housing Register applications can be closed, suspended, or have their priority reduced for a period of time include (but are not limited to):

- Failure to update us of any changes in circumstances and having not updated their application to reflect the change. Applicant will be overlooked where a nomination is being considered for a property applied for, prior to an applicant moving address, and the applicant has not made the Council aware of the change in circumstances within two weeks of the move.
- At an applicant's request
- While investigations are carried out under homelessness legislation.
- While a review of the suitability of accommodation offered is being carried out.
- If the applicant has been nominated to a housing association property and the nomination is being considered.
- Where investigations into a Housing Register application are deemed necessary to confirm housing circumstances (the application would receive active consideration as soon as we are satisfied the circumstances are as stated on the application).
- If the applicant has rent arrears from a current or previous tenancy with a Council, housing association or private landlord and they have not arranged to make regular payments to the landlord, or they are not complying with the terms of such an agreement.
- If the applicant or household member owe an outstanding debt to Hart's Rent Deposit/Rent Bond Scheme and they are not making regular payments or have not kept to the agreed repayment plan by missing 2 consecutive payments, they will be suspended. The suspension will last until they make 6 consecutive monthly payments at the agreed rate (to include the original agreed payment amount plus an extra amount to clear the arrears). Failure to respond or engage in a payment plan within 2 months of suspension will result in the closure of the application.
- If the deposit (paid by Hart Council) is returned to the tenant/household member rather than to us, the application will be suspended until the sum has been returned to us in full. If this is not re-paid within 28 days from the date the applicant received the funds, then the application will be closed.
- If the applicant successfully bids and is offered a property but refuses it twice within a 12-month period, and the refusals are not reasonable (i.e., due to demonstrable medical needs), the application will be suspended for 12 months.
- If the applicant has been accepted under s193 of the Housing Act 1996, Part 7 (as amended), successfully bids for a property and is offered it, then refuses it, the application will be suspended while a review of the suitability of accommodation offered is being carried out. If the applicant does not request a review of suitability, we will end the housing duty under homelessness legislation and the Housing Register application will be suspended until a change of circumstances form is received or a review of the Housing Register application has been completed by the Housing Solutions Team. The same applies in circumstances where the applicant requests a review of suitability, but our decision is upheld.

- If the applicant is residing in Hart's temporary accommodation scheme, bids successfully for a property and is offered it, then refuses it, the application will be suspended while a review of the suitability of accommodation offered is being carried out. If the applicant does not request a review of suitability we will end the housing duty under homelessness legislation, bring the temporary accommodation to an end and the Housing Register application will be suspended pending receipt of an updated change of circumstances form based on the applicants housing situation once they have left the temporary accommodation. The same applies in circumstances where the applicant requests a review of suitability, but our decision is upheld.

Where an application has been demoted to a lower band, their effective date will be amended accordingly. However, once the application has been re-assessed and priority reinstated, the original effective date will be reinstated.