LETTINGS POLICY

Policy Owner:
Chief Customer Officer

Accountable Lead
Director of Accounts & Lettings

Policy Control	
Policy Level	Operational
Policy Reference	CS/HM(L&S)/008/2012
Link to Strategy	Delivering renowned customer service
Version Control Nov 2012 - Version of existing policy - policy rebrand to Curo February 2015 – full review and update incorporating Success Plan and Affordable rent issues July 17 – additional exclusion added in 5.8 April 2018 – full review and update March and Oct 2021 – minor change (5.2), refresh and extend effective date. Dec 22 – full review inc changes to direct lets. February 2025 – Review adding additions relating to vulnerable customers and reasonable adjustments. New EIA completed	Effective from: December 2022 Effective till: December 2025
Approved by	Chief Customer Officer
Consultation	- Voicebox (inc survey on direct lets) - Tenancy Services directorate colleagues - B&NES Homesearch Team
Equality analysis	December 2022
Next review date	December 2025
Legal/Regulatory Framework	Housing Act 1988, Housing Act 1996, Homelessness Act 2002, Homelessness Reduction Act 2016, RSH Consumer Standards and TSM (from 2023)
Associated Policies & Procedures	Starter Tenancy Policy, Anti- Social Behaviour Policy Framework, Tenure Policy, Affordable Rent Policy, Lettings and Void procedures, Selection of affordable rents procedure, Consents Policy.

Policy Statement

When we let our homes our objective is to provide the right home to the right person at the right time and with the right support. At the heart of this is a customer's ability to successfully take on and manage a tenancy, including all the costs of running a home.

1.   SCOPE

1.1   This policy describes how we make our empty homes available and who we let them to. This includes applicants who bid under the local authorities' 'Choice Based Lettings' systems, applicants who apply directly, and our existing tenants who need to move.

1.2   The policy covers the letting of all our homes, except those which are subject to separate policies which include:
- shared ownership and 'rent to buy' homes,
- Building Independence Services (supported housing);
- lettings by Curo Market Rent Services.

1.3   A separate policy covers the letting of our 'commercial' property such as shops and offices.

1.4   This policy links to other policies, including our Tenure policy, Starter Tenancy policy, Tenancy Audit policy and Tenancy Compliance policy, together with our Tenancy Agreement.

2. RESPONSIBILITIES

2.1   The Board and Executive, through the Policy Owner, ensure that the policy delivers our strategic objectives and reflects our values.

2.2   The Accountable Lead is accountable to the Executive for the effective implementation of the policy in Curo, so that the principles are achieved through appropriate team plans and objectives, and procedures – with appropriate RACIs – translate the policy objectives into practice.

2.3   Lettings Negotiators are accountable for the letting of individual homes: delivering the right home to the right person at the right time and with the right support, and ensuring that those homes are safe, healthy, affordable and warm.

2.4   All colleagues in the Lettings and Empty Homes teams have a responsibility to support Lettings Negotiators and have

operational accountability for the procedures which underpin this policy and support the efficient letting of our homes.

3. DEFINITIONS

- '*Anti-Social Behaviour'*; action or behaviour that has caused or is likely to cause harassment, alarm or distress to another person.

- '*Choice Based Lettings'*; schemes operated by local authorities enabling applicants to bid for properties advertised by housing associations.

- '*Local Lettings Plans'*; variations to standard lettings priorities in order to meet specific local needs, often at first letting.

- '*Success Plan'* – a pre-tenancy assessment of an applicant's ability to successfully sustain a tenancy with us. 'Passport to Housing' supports potential tenants to prepare for a tenancy and to manage successfully all that a success plan will assess,

- '*Difficult to Let'* properties – properties or schemes advertised through Choice Based Lettings which have generated little or no demand, or which have been refused on several occasions because of the type or location of the property or scheme.

- '*Management transfer'* – an emergency move for an existing tenant where they meet the criteria

- '*Referral Agreements*' – agreements with support agencies under which we provide a certain number of lettings, or lettings at specific properties, for their clients.

- '*Floating Support*' – ongoing support for customers who need it, as, when and where they need it: not tied to a specific home.

- '*Vulnerable Applicant'* – any applicant who;*'*..is or may be in need of services by reason of mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or serious exploitation.'*
(*Who Decides', Lord Chancellor's Department 1997.)

   For the purpose of this policy this definition also includes applicants with a history of alcohol and/or drugs abuse.

- '*Sensitive Let'* – A property which will be allocated using specific criteria on this one occasion due to the history and tenancy conduct of the former tenant.

- '*Tenancy Fraud'* **–** the occupation of a property by an unauthorised person or persons with the tenant no longer in occupation

- '*Intermediate Rent'* – homes provided for a particular client group where a sub-market rent in excess of a social rent may be appropriate; for example working households.

- '*MAPPA'* – Multi-agency public protection arrangements. Arrangements to assess and manage the risks posed by sexual and violent offenders.

4. PRINCIPLES

We will:

- Work closely with local authorities to help them meet their statutory duties "to secure accommodation for people in housing need".
- Advertise homes to applicants through local authorities' 'choice based lettings' systems (CBL), provided that they enable us to meet the objectives of this policy and any nomination agreements that are in place.
- Use other ways of advertising properties where demand cannot be found through normal channels
- Act responsibly when allocating tenancies, ensuring that applicants have the ability, capability and support to successfully sustain their tenancy.
- Have a fair and transparent way of deciding priority when more than one person has expressed an interest in a property.
- Recognise the impact of high tenancy turnover on community cohesion and on our own operational costs, and take steps to control it where necessary
- Recognise our responsibilities to meet the needs of homeless applicants.
- Operate Local Lettings Plans, agreed with local authorities, where this will contribute to community sustainability
- Let homes in a sensitive way where serious management problems have affected a specific property.
- Ensure that letting decisions support residents to successfully sustain their tenancies and in turn create sustainable neighbourhoods
- Ensure this policy is publicised and freely available to all applicants.
- Meet our responsibilities under the Equalities Act 2010; assess monitor and take mitigating actions to ensure that of our policy and procedures do not detrimentally impact on the housing opportunities of minority groups, or those with protected characteristics under that Act
- Work closely with specialist support and housing agencies.

5. APPLICATION OF POLICY

5.1 Housing Need

We can't help everyone who applies to us for housing. Where more than one person is interested in an empty home, we prioritise applicants on the basis of their housing need.

We consider housing need to be:

- High Priority: for example, people who have no permanent home; who have to move from their home because it is unfit or being demolished; people whose medical condition or social circumstances (such as domestic abuse or hate crime) makes it impossible for them to remain in their current home.
- Medium Priority: for example, people who are overcrowded; have medical problems which make their home unsuitable; are suffering harassment.
- Low Priority: all other applicants.

Where more than one person with similar needs expresses interest in an available home, we will assess priority based on the length of time people have been waiting.

We have homes in several different local authority areas; each one may define housing need differently and will have different strategic priorities. We work with each local authority to agree a detailed scheme which meets their needs and priorities as well as the broad principles of our own objectives.

5.2 Sustainable Tenancies

Providing the right home to the right person at the right time with the right support means giving our customers the best possible opportunity to succeed in a tenancy. When we make decisions, we take account of applicants' individual circumstances in order to achieve this.

- We undertake a pre-tenancy assessment with all applicants, including existing tenants. We triage applicants to determine the appropriate level of pre-tenancy assessment.

- The objective of the assessment is to understand the applicant's ability to successfully sustain a tenancy with or without support, with a view to securing the required support for that person.

- If a prospective tenant can't demonstrate that they can afford to live in the property then we will not offer a tenancy. We will offer appropriate assistance and signpost applicants to agencies that can help. This may include a Passport to Housing referral.

5.3 Stable Communities

How we allocate tenancies can make a significant contribution to community cohesion and to successful neighbourhoods. We may consider the needs of a community over and above those of an individual applicant in some circumstances. However, we will continue to use the criteria above to determine priority where more than one applicant meets the required criteria.

5.3.1 Local Lettings Plans

We use local lettings plans (LLPs) to support community stability:
- in response to specific community sustainment concerns, when we will consult with local residents and the local authority
- on any new build scheme, where we are letting homes for the first time; we will agree the scheme with the local authority.

On existing estates, we might use LLPs to combat concentrations of social and economic deprivation within specific blocks of flats or densely populated locations, particularly in areas of high levels of anti-social behaviour.

We will work with the relevant local council, to apply specific criteria when advertising through Choice Based Lettings schemes, for example applying age restrictions or banding restrictions.

We may consider changing the tenure mix if appropriate to deliver a more mixed community leading to greater levels of sustainability.

On new developments our objective is to be pro-active in creating the right conditions for a successful neighbourhood. This may include the under-occupation of homes; offering a proportion to customers who are in employment; recognising an individual's contribution to the community; supporting people into work, training and education; providing mandatory tenancy sustainment training

5.3.2 Sensitive letting

When serious management problems have affected a specific property, we may advertise it as a 'sensitive let'. By serious management problems we mean when, within the past 12 months, a property has been affected by issues such as:

a) drug misuse or drug dealing;
b) anti-social behaviour which has directly affected neighbours, caused during the previous tenancy or by another tenant
c) hate crime
d) domestic abuse
e) irresponsible pet ownership, where this has had a significant impact on the neighbourhood

In these circumstances we will let sensitively to applicants who we consider will not cause any re-occurrence of the problem and will give confidence to the community. For instance, where serious drug misuse has affected a property, we would not consider housing an applicant with a recent history of drug misuse

We will record and monitor the effect of the above on our lettings to ensure that our policy is fair and that we are using these criteria only where it is appropriate.

5.4 Letting homes quickly and efficiently

It is in the interests of both the community and our business that homes are empty no longer than necessary, and are used wisely

5.4.1 Advertising homes

We may;
- advertise vacant homes to new applicants only (i.e. not existing tenants) from time to time;
- give preference existing tenants for properties where there is a reason to do so.

Where an empty home incorporates specific facilities or support services then we will give preference to people with relevant needs.

5.4.2 Letting Properties against Household Size

Generally, the criteria for letting properties in a way that best matches household size with property size form part of the allocation criteria agreed under local choice based lettings policies.

We will consider under-occupation by applicants on an individual case basis ensuring they are able to demonstrate their ability to afford all the rent.

5.4.3 Difficult to Let Properties

One or all of the following characteristics would mean that a property or scheme meets our definition of difficult to let:

- Has been empty more than 4 weeks
- Has attracted 3 or more refusals
- No, or very few bids, have been made under the local council's Choice Based Lettings schemes, after one advertising cycle.
- An individual property, scheme or property type with a history of previous letting difficulty.

The Lettings Manager will approve 'Difficult to Let' status on a case by case basis. The property may then be let in one of the following ways:

- Identification of any 'direct let' applicant (see below).
- Asking neighbouring local authorities to advertise.
- Marketing and advertising the property at local, regional or national level, using appropriate media outlets.
- Considering a possible change of use /alteration to the eligibility criteria
- Where a property is to be let at an Affordable Rent, consider letting at between 70 – 80% of market value if the rent level may be a factor in making the property hard to let.

5.5   Intermediate Rent

We sometimes develop homes for letting at 'intermediate' rents. We do this with specific objectives in mind, for example to provide homes for local people, or those in employment, who would not normally have access to social rented housing.

We agree those objectives with the local authority on a scheme by scheme basis and at the same time agree the appropriate route for advertising vacancies.

When we let these homes, we continue to let to those in greatest need, subject to achieving the objectives of the development.

5.6   Management Transfers

Existing tenants wishing move to another of our homes (known as a 'transfer') apply to do so through the relevant local council choice based lettings scheme.

We recognise that sometimes there are good management reasons for a transfer and we may agree to a move, and to giving additional priority for a vacancy, where an existing tenant;

- is the victim of a hate crime or of domestic violence, or there is any other safeguarding concern, *and* there is a severe, immediate and unmanageable threat to their life (with supporting evidence from external agencies such as the Police, MARAC, a social worker, IDVA);
- occupies a property with specific facilities or support services and no longer needs them;
- needs to move either permanently or temporarily to enable emergency work, major repairs or re-development work to be carried out;
- A customer currently in 1st floor flat and now requires ground floor within the same scheme, who has a genuine medical need to move.

- has succession rights to a tenancy but not to a specific property due to its size, location or adaptations.
- Is under-occupying their home and wishes to downsize by 2 or more bedrooms

In these cases we will consider offering a vacancy directly to an existing tenant as a management transfer.

We will not normally consider transferring tenants who have outstanding arrears of rent or are otherwise in breach of their conditions of tenancy, including the conditions requiring the tenant to look after their home. However, each case will be assessed against the categories listed in 5.46 above to identify exceptional reasons to support a discretionary move where tenancy breaches are identified, and the safety of our customers is a priority.

5.7 Working with local authorities

We work closely with local authorities where we have homes. We seek to agree a process:
- that reflects our broad definition of housing need in 5.1 above
- that delivers our criteria for successful lettings in 5.2 to 5.6 above, and
- which also meets local needs and priorities.

Achieving this means we can advertise our vacant homes through choice based (or similar) local lettings schemes.

We anticipate the need for separate 'nomination' agreements only where we are unable to agree such joint working.

5.8 Eligibility

As a landlord, with charitable objectives, people we house under this policy will be primarily those who are unable to house themselves in the private sector. We let our homes to:

- People who are vulnerable, for example because they are older or disabled
- People whose personal circumstances make it difficult to access owner occupation or private renting (e.g. job insecurity, self-employment)
- People whose financial circumstances mean that they cannot access owner occupation or private renting: we will use our financial assessment procedure to establish eligibility.

5.8.1 Exclusions

We have a duty of care to our colleagues, residents and local communities. That duty requires us to ask about the history and

needs of potential customers; we do this as part of the Success Plan.

We may not house people for the following reasons:

- There is evidence of anti-social behaviour, caused by the applicant or a member of their household, that has resulted in formal action including: the serving of a notice seeking possession; a possession order; an injunction; an anti-social behaviour order; a conviction relating to anti-social behaviour.
- There is evidence of ongoing anti-social behaviour which is being investigated by us or by another organisation.
- Where the Success Plan demonstrates that the circumstances of the applicant would be significantly worsened by accepting the property.
- Where a property has been identified for a sensitive let and the applicant's circumstances do not meet the requirements of that sensitive let.
- Where they have arrears, or any other breach of tenancy, which, if they had been our customers, would have resulted in the courts granting an Order for Possession (suspended or outright order) and any subsequent failure to clear / reduce a debt by agreed instalments.
- Unpaid rent arrears or other debts owed to us or another social landlord, unless there is an agreement made through a Success Plan and the applicant can demonstrate an ability to pay
- Significant damage caused deliberately or through neglect to another property.
- Acts of physical violence or verbal abuse towards colleagues or other residents.
- Where an applicant does not fulfil local lettings or rural exception criteria that may apply to some lettings.
- Where an applicant cannot comply with covenants applicable to the home or estate.
- The applicant is a sex offender who has not been referred via agreed MAPPA arrangements
- The application is fraudulent or dishonest
- A criminal conviction that incurred a prison sentence of two years or more within the last six years (as per the Rehabilitation of offenders Act) and where there would still be a significant risk to other residents.
- Specific threats of violence of harm have been made by the applicant or a household member against any Curo colleague. We will review this on a case by case basis, but no period of exclusion will exceed two years from the threats being made.
- An applicant has a pet for which we will not give consent, and is unable or unwilling to re-home the animal

5.8.2 Applicants needing support

As part of the Success Plan (above) we identify applicants who will require support to live independently.

We will offer tenancies only where identified support needs can be met at the point when the offer is made, and providing that the applicant is committed to accepting that support, including financial support.

5.8.3 Older People

We own and manage homes with specific design features making them suitable for older people. We will let these homes only to people who are:

i)   Aged 55 plus (or aged 50 for some specifically designated individual properties)
ii)   Need support, of the type offered by that home.

We may consider applicants aged between 50 and 55 who meet the following criteria:

- Currently in receipt of the middle or high rate of the care and/or mobility component of Disability Living Allowance, ESA or PIP, **and**
- Have a specific need for support services that cannot be delivered to an equivalent standard in general needs accommodation.

We consider applicants under the age of 50 only in exceptional circumstances and where they meet the criteria above.

All customers of supported housing for older people are expected to engage with the Sheltered Housing Service and will receive at least the minimum level of support.

5.8.4 Extra Care

We also manage "Extra Care" homes for older people requiring an element of care as well as support.

Extra Care properties are let to applicants nominated by HRC Care Group. Where there are no suitable nominations, we may advertise Extra Care vacancies through alternative methods including CBL.

5.8.5 Tenancy Fraud

We minimise opportunities for tenancy fraud by asking new tenants to provide appropriate identification at the start of the tenancy, including:

- Photograph(s) of the tenant(s) (mandatory)
- National Insurance Number (mandatory)
- Last three months' bank statements (mandatory)
  and at least one of the following:

- Copy of passport/birth certificate and the birth certificates for all children living at the property
- Copy of utility bill (no older than 3 months)
- Copy of child benefit details for all children in household

In addition, credit reference checks will be undertaken prior to an offer being made as part of the pre-tenancy assessment. A poor credit rating will not in itself prevent the offer of a home.

5.8.6 *Fairness and Transparency*

We will not offer a tenancy of any of our homes to
- Any Board member or employee of any company within the Curo group, or
- A close relative of any Board member or employee above

unless and until all relevant checks and approvals set out in our Loyalty & Conflicts of Interest Policy have been completed.

We advertise the outcomes of all our lettings through the relevant local council choice-based lettings schemes.

5.9 Appeals

Appeals relating to common housing register prioritisation will be managed by the relevant local council housing register appeal process.

Appeals relating to our decisions (for example, management transfers, exclusions, vulnerable applicants above) will be managed internally using our lettings appeals process.

5.10. Rent on time

We expect new tenants to pay rent on or before the due date, from the start of their tenancy, in accordance with the terms of the tenancy agreement.

6. Monitoring and Reporting

We will involve residents, through our engagement and scrutiny arrangements, in reviewing this policy and its effectiveness.

7 Procedures

A comprehensive set of procedures implement the principles of this policy; these detail the processes that the Lettings Team follows.

8   Equality

An Equalities Impact Assessment (EIA) has been carried out (November 2022) and has identified the potential for inequalities in the impact of this policy on different sections of the community. Monitoring of the effect of the policy is therefore in place.

9. Reasonable adjustments

Colleagues are empowered to make reasonable adjustments based on individual customer needs ensuring equal access to services.

Colleagues are encouraged to assess each situation thoughtfully and make adjustments where appropriate, considering factors such as accessibility, medical or specific requirements.

These adjustments should be made in a way that meets statutory and regulatory requirements, maintains a high standard of service, and supports customers in a fair and respectful manner.