



Stafford and Rural Homes Lettings Policy



<b>1. Policy Statement</b>	<p>Stafford &amp; Rural Homes (SARH) are the largest provider of affordable housing in Stafford and the surrounding rural communities, owning and managing over 6000 homes.</p> <p>SARH offer a wide range of services including homes for rent or shared ownership, personal safety alarms, and support to live independently in your own home.</p> <p>This Lettings Policy sets out how SARH will allocate vacant SARH homes to customers in accordance with legal and regulatory requirements.</p>
<b>2. Key Policy Principles</b>	<p>The SARH Lettings Policy sets out how SARH will allocate empty homes in a way that:</p> <ul style="list-style-type: none"> <li>✓ offers choice</li> <li>✓ meets people’s needs</li> <li>✓ makes the best use of SARH housing stock</li> <li>✓ promotes the development of sustainable and balanced communities.</li> </ul>
<b>3. Legal and Regulatory Requirements</b>	<p>As a registered provider of social housing, SARH is regulated by the Regulator for Social Housing (RSH) and has the highest possible ratings for managing the organisation and its finances.</p> <p>The SARH Lettings Policy is consistent with the RSH’s Tenancy Standard, which requires that registered providers shall let their homes in a fair, transparent and efficient way taking into account the housing needs and aspirations of tenants and potential tenants.</p>
<b>4. Reference Documents</b>	<p>There is a range of legislation and regulatory guidance relating to the letting of SARH homes. The key documents are listed below:</p> <ul style="list-style-type: none"> <li>• Housing Act 1996</li> <li>• RSH Tenancy Standard</li> <li>• Stafford Borough Council Tenancy Strategy</li> <li>• SARH Tenancy Policy</li> <li>• Stafford Borough Council Allocations Policy</li> </ul>
<b>5. Eligibility for a SARH Home</b>	<p>Anyone who is a UK resident can apply for a SARH rented home.</p> <p>The Housing Act 1996 sets out details of customers who may not be eligible to apply for a SARH rented home. This includes customers who are subject to immigration control, those who are not classed as “habitually resident”, and those who have limited rights to reside in the UK.</p> <p>As a registered provider SARH must conduct Right to Rent document checks for all adults moving into a SARH home.</p>
<b>6. People under</b>	<p>Customers aged 16 or 17 may apply for a SARH home, but cannot hold a legal tenancy until the age of 18. In these circumstances an adult family member or</p>

**the age of 18** support agency would need to hold the legal tenancy on the young person's behalf, and the young person would be granted an equitable tenancy until they reach the age of 18.

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**7. Lettings to employees and Board Members** SARH will only let homes to SARH employees, Board Members, and their relatives in line with the highest standards of probity and governance.

Customers will be asked to disclose this when they apply for a SARH Home and any allocation of a home will need to be approved by a member of the SARH Leadership Team.

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**8. Local Connection** Due to the level of demand for social housing in Stafford Borough, priority for SARH homes will be given to local people. This approach mirrors that set out in Stafford Borough Council's Allocation Policy.

For the purposes of this policy, a customer will be deemed to have a local connection if:

- They have lived in Stafford Borough for the last two years at the point they apply to go on the SARH Housing Register;
- They have lived in Stafford Borough for at least three out of the last five years; or
- They have been nominated by Stafford Borough Council as they are owed a homeless duty in accordance with Part 7 of the Housing Act 1996

In the event that there are no applications for a SARH home from customers who meet the local connection criteria, customers who are registered with no local connection will be considered depending upon need and affordability.

There may be circumstances where SARH will prioritise a customer who does not meet the local connection criteria – in these circumstances the letting will be managed in accordance with section 13 of this policy. Examples of such circumstances include (but are not limited to) customers fleeing domestic abuse, violence or harassment or who need to be placed in Stafford Borough as a result of witness protection.

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**9. Access to Specialist Housing** SARH provides homes for older and vulnerable customers which are designed to enable customers to live independently in their homes. The majority of these homes will be let using the SARH Lettings Service, although some homes may have specific criteria attached to them to ensure they are let to individuals with a defined need for that type of home.

A key feature of many of these homes is the additional support and/or technology provided to enable independent living. Allocations to SARH homes which include the provision of additional services will take into account customer need, and it is a requirement of the tenancy that

customers accept and pay for the services provided, which will be clearly set out in the property advert.

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Within its specialist housing stock SARH provides a number of units of Extracare Housing, designed for customers with care needs. A full assessment will be undertaken for customers applying for Extracare Housing to establish their individual needs and the support they require. These assessments are usually carried out jointly with a care professional, and are discussed at a dedicated Extracare Housing Panel to ensure SARH is able to offer the most suitable home to meet these needs.

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**10.Home Criteria** SARH homes are designed to meet differing customer needs and some may have certain restrictions placed upon who can apply for them, known as home criteria.

These criteria include nomination rights, local lettings policies, criteria relating to rural properties, and requirements that customers have a connection to the area in which the home is located.

The criteria are set to ensure SARH make best use of its homes and take into account the property type and size. All criteria will be clearly defined in the property advert.

In the event that there are no applications for a SARH home from customers who meet the home criteria, other customers may be considered depending upon need and affordability.

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**11.Nomination Rights** SARH has committed to offer up to 75% of its homes to Stafford Borough Council (SBC) who will nominate a customer in line with SBC's needs based Housing Allocations Scheme.

If a home is not let following a nomination from SBC it will be let using the SARH Lettings Service.

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**12.Transferring Tenants** The SARH Lettings Service includes limited circumstances in which existing SARH customers will be given a priority to transfer to a different SARH home to comply with the RSH's tenancy standards.

Information shared by the customer when they register with the SARH Lettings Service will be used to determine whether the customer has any of the following needs:

- Customers who need to move because they are living in under-occupied or overcrowded conditions
- Customers who have medical needs which are preventing them from returning home from hospital or from being able to use essential facilities within their home
- Customers who are experiencing or are at risk of domestic abuse, harassment or serious harm

Where two customers with the same priority apply, the home will be allocated to the customer with the earliest registration date.

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Customers wishing to transfer to another SARH home will be active on the register from the point they apply, but checks will be undertaken prior to them being offered a home to ensure they have not breached any of the tenancy conditions in their current home.

Customers wishing to transfer to another SARH home will generally not be able to do so if:

- Their rent account has not been clear for a sustained period of time, normally 12 weeks.
- The conditions within their current home are not of an acceptable condition.
- They have sundry debts such as garage rental arrears or lifeline arrears

In exceptional circumstances an offer may be made, based upon a review of individual circumstances and needs, but any such transfer must be approved by a manager before the offer is made.

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### **13. Direct Lets**

On some occasions SARH may let a home directly to a new or existing customer without advertising the property. These will be classed as Direct Lets and will be used in limited cases where either:

- an urgent need is identified that does not fall within one of the priority groups set out above; or
- a customer has a priority to transfer due to one of the reasons above, but the need is so urgent that it can not be managed through the normal lettings process.

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### **14. Exclusions**

There are a number of reasons why a customer who is eligible for a SARH home may need to have their circumstances reviewed and approved before they are able to apply for a SARH home:

- Where there is evidence that the customer, or a member of their household, is guilty of serious unacceptable behaviour, including violent behaviour, serious noise nuisance or anti-social behaviour, domestic abuse, or using a home for illegal purposes.
  - Where a customer owes rent or other debts to a current or previous landlord, and has not entered into and maintained an agreed repayment plan. The amount and cause of the arrears, and any actions taken to reduce them will be taken into consideration.
  - Where a current SARH customer wishes to move to another SARH home but has breached the conditions of tenancy in their current home.
  - Where a current SARH customer wishes to move to another SARH home within one years of their tenancy starting.
  - Where the customer's household has an income in excess of £60,000 per annum and/or savings in excess of £30,000.
  - Where a customer owns a property.
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- Where a customer has the Right to Rent in accordance with the Immigration Act, but is not entitled to claim welfare benefits, tax credits or housing assistance, and is not in permanent employment.
- Where a customer has a history of criminal offences which may affect where they can be housed.
- Where a customer has given false or fraudulent information in their application.

For each of the circumstances above SARH may request further information, and may conduct a home visit to discuss further with the customer.

SARH may exclude customers from the Lettings Scheme for the reasons set out above; any exclusion will be based upon consideration of the circumstances of the individual case.

If a customer is to be excluded from registration they will be notified of the reasons why and if applicable what action/s they should take to have the decision changed.

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### **15. Right of Appeal**

Customers have the right to appeal against a range of decisions made during the SARH Lettings process. These are:

- A decision to exclude a customer from applying for homes
- A decision to close an application
- A decision about Priority banding
- Any decision about the facts of their application, which is likely to be, or has been taken into account in considering whether to allocate a home.

Appeals can be made in a number of ways including verbally, via e-mail and letter, and must give details as to why the customer wants the appeal and provide any other information to be considered.

Appeals will be considered by a member of staff who is senior to the person who made the original decision, and who was not involved in the original decision. They will either decide to overturn or support the original decision.

The customer will be informed of the decision within 10 working days of the appeal being received.

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### **16. Removing Customers from the Register**

Customers registered on the SARH Lettings Service will have their application reviewed periodically. If they have not applied for a SARH home during the twelve month period their registration will be closed.

Should they wish to apply for SARH homes they will need to re-register, and their registration date will change accordingly.

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### **17. Confidentiality and**

SARH staff will work in accordance with its policies on data protection and GDPR when recording and sharing information.

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<b>Information Sharing</b>	Additionally SARH is signed up to the One Staffordshire Information Sharing Protocol and will operate within its framework.
<b>18. Equality and Diversity</b>	<p>SARH will ensure that whilst letting SARH homes consideration is given to the Equality Act 2010 and will have due regard to:</p> <ul style="list-style-type: none"> <li>• Eliminating discrimination, harassment and victimisation</li> <li>• Advancing equality of opportunity between persons who share a protected characteristic and those who do not share it</li> <li>• Fostering good relations between persons who share a protected characteristic and those who do not share it.</li> </ul>
<b>19. Monitoring and Reporting</b>	<p>SARH will monitor lettings performance through a number of measures, including:</p> <ul style="list-style-type: none"> <li>• Number of customers on the housing register</li> <li>• Number of properties allocated in accordance with SBC nomination rights</li> </ul>
<b>20. Review</b>	The SARH Lettings Policy will be reviewed annually or if there is any change in legislation or regulation.

<b>Date Written</b> July 2017	<b>Title</b> SARH Lettings Policy	
<b>Written by</b> Kathy Jones	<b>Review/Amended Date</b> September 2019	<b>Reviewed/Amended by</b> Kathy Jones
<b>Next Review Date</b> September 2020	<b>Version Number</b> 4	

