

## Lettings Policy

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### 1. Purpose and scope

This lettings policy is designed to help Affinity Sutton to create and sustain vibrant communities, and to help tenants and applicants to maximise their life chances. It sets out clearly how we will allocate those homes where we control nominations, including how we will create more opportunities for tenants through chain lettings, and how we will accept direct applications. It also outlines the qualification and affordability criteria that apply to all new tenants, including those nominated by local authorities.

It is also an important document for our partners, explaining our priorities and seeking to provide reassurance that where we allocate homes, we will do so fairly, and according to priorities that promote individual responsibility, and the creation of strong and vibrant communities.

This policy covers all social, affordable and intermediate rent lettings of Affinity Sutton properties. Some sections apply only to new applicants, some only to transferring tenants, and some may not apply to people nominated by local authorities.

We have explained why this policy is needed, at this time, in our linked document “Our Approach to Allocations for Affinity Sutton”. This explains the importance of ensuring tenants can afford their homes, of protecting our income, and of reducing the impact of antisocial behaviour caused by new tenants. It also explains how we will continue to develop stronger partnerships in areas where the council shares our aspirations for vibrant communities, for promoting employment, and for making good use of housing stock.

In implementation of this policy we will make sure we meet the Tenancy Standard from the Homes & Communities Agency (HCA) concerning assisting local authorities to meet their strategic housing function.

### 1.1 Access to our services

We will refer to our Corporate Translation & Interpreting Policy which reflects changes to our thinking about the why and when we will provide translation and interpreting services to our residents. In general, this means putting the onus on residents to make their own arrangements in order to communicate effectively. Examples might be asking a friend or family member to help, or to pay for the translator or interpreter themselves. This does not apply to residents who are deemed vulnerable or in need of special care.

In circumstances where someone is signing a Tenancy Agreement, we will if necessary arrange and pay for translation and interpreting services in the interest of ensuring that the tenant understands their rights & responsibilities.

## 2. The Routes into an Affinity Sutton home

We will continue to let the majority of our voids to applicants nominated by their local authority, in accordance with the nomination agreements we have, usually but not necessarily through a local Choice Based Lettings system.

Where a local authority makes a nomination to us of someone to be considered for a tenancy in one of our homes, we will check that:

- The nominee is eligible to become an Affinity Sutton tenant, see Section 4.
- The nominee can afford the home they have been nominated for, see Section 5.

We also reserve the right to verify information concerning their identity, housing history and current circumstances, to ensure that they are entitled to, and suitable for, the home for which they have been nominated.

Where applicants do not meet our criteria, we will refuse the nomination and explain our reasons for doing so.

Where we have been letting 100% of our properties through the local CBL system, but are not required to do so by nomination agreements, we will return to letting some homes directly ourselves, under this policy, unless the council wishes to negotiate a local arrangement that ensures its nominations are made in accordance with our policy. In some cases, we may withdraw from a CBL scheme altogether.

Applicants who apply directly to us will be assessed under the terms of this policy and, if accepted onto our scheme, will be entitled to bid for homes through our Home Choice system. For how we prioritise applicants, see Section 8.

Affinity Sutton tenants who wish to transfer to other Affinity Sutton properties will be assessed under the terms of this policy. This includes tenants who need to move at the end of a fixed-term flexible tenancy, because their circumstances have changed. For how we prioritise tenants, see Section 7.

For lettings which will directly control, we will decide whether to advertise vacancies on our Home Choice system or whether another website is more appropriate e.g. Rightmove. Generally this route will be followed where there is less demand or no demand on our housing register.

### **3. Deciding which properties are to be let by us and on what terms**

We will work with local councils to ensure that we meet our legal obligations under existing agreements. Where we have a number of different agreements in place in an area, we will explore reaching a simpler, overall partnership agreement.

In most areas, 25% or up to 50% of lettings are not required to be given to the Council. We will allocate these to the groups we prioritise. We have a number of different agreements in place in different areas as to how we decide which properties to keep and which to offer to the Council. Where possible, we will work to a simple definition:

- If one of our properties in council area A is vacated by: a tenant moving out (to another landlord, or tenure), an eviction or death, then that will create a "true void". We will decide whether to use that property to meet the needs of a transferring tenant, or one of our applicants, or to offer it to the Council.

We will make sure that the correct percentage of "true voids" in the area is offered to the Council for nominations. Where the nominations agreement specifies that 100% of lettings are offered to the council, then we will not retain any voids to let under our policy.

Where we have the ability to advertise and allocate available properties directly we will consider the appropriate route by which to allocate the vacancy based upon local housing demand as well past outcomes in advertising. The routes we may use to advertise available homes include, but are not limited to:

- Home Choice
- Independent property websites (such as Zoopla, Rightmove, Homefinder UK etc.)
- Reciprocal agreement that we have made with another social landlord
- Direct offer with an approved agency
- Local lettings agent

Where we have no demand/waiting list for particular properties and consider a vacancy to be an 'Immediately Available Home' we may choose to 'cross sell' these vacancies to customers who are eligible to be housed by us but have come through for a direct offer or through a different advertising route such as Rightmove or a newly registered applicant on Home Choice.

### **3.1 Chain Lettings**

A chain letting is where we are able to create a set of moves that facilitate a number of tenants to move without any reduction in the number of voids available to the council to house applicants. Properties vacated and filled within the chain will be recorded as voids for monitoring how quickly we re-let properties, but they will not be recorded as true voids for the purposes of allocations.

We will use chain lettings wherever possible to promote tenant mobility, and in particular to tackle under occupation and overcrowding. In some areas, councils request that we offer properties to them in strict rotation – for example that we always take the fourth property void. This does not help us to create chain lettings, especially where we are trying to help tenants to move across boundaries. In order to facilitate chain lettings, we will sometimes ask for two consecutive voids for transfer applicants, but we will monitor these and liaise with our partners.

By housing transfer applicants we can release properties needed for others.

Where we put together chains which operate across local authority boundaries, we will be flexible to create maximum mobility, but we will ensure that our obligations to local authorities are honoured.

### **3.2 Type of Tenancy to be offered**

Our Tenancy Policy sets out how we have decided what tenancies to use. Most new tenants will be offered a six year fixed term tenancy which includes a 12 month probationary period.

We will offer lifetime (assured) tenancies to tenants of sheltered housing and other housing designated for older and vulnerable people following successful completion of a 12 month probationary tenancy.

In some supported housing schemes, we will continue to offer licences rather than tenancies.

Flexible tenancies allow us to reassess our tenants' needs, and support them to move when their circumstances change, so that we can make best use of stock, and help tenants' to realise their own housing ambitions.

Some tenants (including tenants of other social / affordable landlords) retain some preserved tenancy rights if they transfer to another home on social rents, including by mutual exchange. Tenants who have not held a tenancy continuously since before 1 April 2012, or who move to an affordable rent home, are not protected and can legally be offered flexible tenancies. We will provide 'frequently asked questions' information to tenants on their rights and options, and we may offer additional security to a transferring tenant, where it will allow us to obtain a larger or adapted home.

Properties offered to local authorities for nominations should be advertised as fixed term tenancies, although if the nominee is a social tenant with preserved rights and is

not moving to an affordable rent home, then we will offer the most appropriate tenancy based on their individual circumstances.

### **3.3 Type of rent to be charged**

We will determine whether a vacant property is to be advertised (on Home Choice or through a local authority system or through another route) as a social rent, an affordable rent or intermediate market rent.

How we set our rents is set out in our Rent Setting Policy.

Our Rent Setting Policy complies with the conditions of any agreement with grant providers or the HCA and regulatory requirements).

### **3.4 Rent 4 Less**

A proportion of our affordable rent homes offered will be offered under our Rent 4 Less brand. Applicants will need to provide housing references, and a deposit which we lodge with a deposit protection company. We'll set out clearly what the deposit sum is at the time of advertising. We expect all tenants signing a new tenancy to pay a maximum of one month's rent in advance to us when they sign the tenancy.

We will provide full advice to any tenants leaving lifetime tenancies and require written confirmation that they understand the implications of their choice.

### **3.5 Our Allocations: tenant transfer or Home Choice applicant**

Where we control an allocation, we will decide whether to advertise a particular property for a tenant transfer or Home Choice applicant, or whether to advertise to all Home Choice users simultaneously.

We aim to let 50% of our true voids (where we control the allocation) to Home Choice applicants, but this may vary across different locations, depending on needs and demand.

We will use up to 50% of our true voids for transferring tenants. If we are able to create chain lettings, we may move several households using only one true void property.

We reserve the right to adjust the balance between transfers and applicants as necessary at any time.

We may give extra priority to individual groups within our priority scheme for a period, if it is necessary to achieve a good balance of lettings. If we do this, we will indicate it clearly on Home Choice, and we will explain why.

### **3.6 Local Lettings Plans**

In some areas, we have time limited local lettings plans which specify additional agreements about who can be housed in a particular area. We will review such plans with partners and local residents from time to time.

For new developments, we will negotiate local lettings plans, to ensure a good mix of residents when the housing is first let, including, if possible, a mixture of different ages of children in family housing, and a mixture of different needs where the local authority is making nominations.

Wherever possible all new developments will contain at least 25% of tenants in work.

In specific areas where we have greater turnover of properties and less demand we may offer specific initiatives such as Customer Loyalty & Recommend a Friend. These will be stated in any local lettings plan.

**Customer Loyalty** – This will be a locally agreed criteria designed for existing Affinity Sutton tenants who wish to move property. Criteria will be agreed with our local Housing Teams and will be designed to reward residents who have maintained their tenancy well and are looking to move to specific property sizes/areas. If Customer Loyalty is awarded residents will be given additional priority on the housing register.

**Recommend a Friend** – We will market the ability for existing residents to recommend friends/family members to us for housing. If we are able to make an offer to the applicant within 6 months of them applying to us the resident who has recommended them will be offered high street vouchers as a thank you. Recommend a Friend schemes will be for specific areas and property sizes and will be marketed on a local basis through Newsletters and our housing teams.

### **3.7 Monitoring**

We will monitor the number of true voids occurring in each local authority area, and the percentage offered to the local authority, transfer applicants and through Home Choice by property size/type.

Across all applicants, we will monitor the number in employment or training at the start of the tenancy, and the number who receive additional support through our Tenancy Sustainment Service to establish their tenancy.

We will monitor and analyse tenancy failure rates at 12 months, 24 months and 60 months, (including route to housing, tenancy type, initial and final employment status, and whether tenancy support was provided) to increase our understanding of the risk factors for tenancy failure, and our ability to support tenants to succeed.

### **4. Eligibility to be an Affinity Sutton tenants (Applies to ALL new tenancies)**

Applicants for a tenancy – whether applying direct, through Home Choice or nominated by a local authority must be eligible to become a tenant. If applying for a joint tenancy, both applicants must be eligible.

A tenant who has held a probationary tenancy must still be eligible at the end of the tenancy for us to grant a fixed-term flexible tenancy or any other assured tenancy. A tenant holding a fixed term tenancy must still be eligible to be offered a renewal.

To be eligible for an Affinity Sutton tenancy, an applicant must

- Be over 18 years of age, or, in exceptional circumstances, over 16 and with an adult guarantor who will hold the tenancy in trust for you;
- Be a person who is habitually resident in the UK, the Channel Islands, the Isle of Man or the Republic of Ireland and whose leave to enter or remain in the UK is not subject to any limitation or condition.
- Not be exempt from holding a tenancy by their immigration status. In general, this means that they should either hold a British passport, or have been granted legal leave to remain (see Immigration Act 2014 below)
- Be nominated by a local authority under the terms of their statutory housing duties, OR
- Be assessed by us as in housing need (according to our scheme, set out below) OR
- Be a tenant who by moving makes a home available to someone who is in housing need
- Be a proper beneficiary of a charitable housing association by virtue of their age, disability, income, or housing need.

Immigration Act 2014 - Affinity Sutton is aware of the duties deriving from immigration legislation (including the Immigration Act 2014). Where the Immigration Act 2014 applies, Affinity Sutton acknowledges that it will have to follow the Code of Practice ([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/376788/Code\\_of\\_Practice\\_on\\_illegal\\_immigrants\\_and\\_private\\_rented\\_accommodation\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/376788/Code_of_Practice_on_illegal_immigrants_and_private_rented_accommodation_web_.pdf)) unless the agreement is excluded i.e.: -

- if the applicant is being nominated by a local authority and the applicant already holds a social or affordable tenancy; or
- if the applicant is being nominated to it by a local authority under its statutory duties and Affinity Sutton has already considered their immigration status as above

Affinity Sutton acknowledges its duties under the code are principally: -

- Conduct initial right to rent checks before authorising an adult to occupy rented accommodation;
- Conduct follow-up checks at the appropriate date if initial checks indicate that an occupier has a time-limited right to rent, and;
- Make a report to the Home Office if follow-up checks indicate that an occupier no longer has the right to rent.

An applicant or a member of their household must not

- Have been convicted of a criminal offence (within the past five years), or have been found guilty (in a court) of antisocial behaviour, harassment or other unacceptable behaviour including a history of causing serious nuisance or annoyance to neighbours within the past five years. Unacceptable behaviour may also include serious damage or neglect of a property.
- In cases where there has been no conviction or guilty finding, where a possession order (whether suspended or outright) for serious anti-social

behaviour and or criminal or immoral behaviour has been secured by a previous or current landlord, an application for housing / nomination may be refused.

- In cases where there is evidence of criminal activity, severe or persistent anti social behaviour and where we consider that the allocation of housing would impact upon the local community , we may refuse an application / nomination.
- Where if the behaviour was on-going now, under Affinity Sutton's tenancy management and or anti-social behaviour policies and procedures we would be looking to make an application for possession. The behaviour being considered must have been within the past 12 months and may have been committed against / toward members of the community where that person lives/lived, association staff, or its contractors or partners who have involvement managing the housing application, assessment or support function.
- We may make exceptions to this if we receive a recommendation from a current landlord or relevant support agency (e.g. probation officer) which demonstrates their current suitability to hold a tenancy, however evidence of a care and or support plan and or supervision plan must be provided that satisfies that Affinity Sutton that the allocation is reasonable and that there are sufficient support mechanisms in place to ensure no tenancy breaches. In these cases, the provisions of the starter / probationary tenancy period should be made clear.
- Have a conviction for using accommodation or allowing it to be used for immoral or illegal purposes such as drug dealing.
- Have current or former tenant arrears with Affinity Sutton or any other landlord. We may make an exception to this if you are a current Affinity Sutton tenant who has received approval to move through our 'Moving in Arrears' policy due to needing to downsize because of a reduction in welfare benefits, which means that your home is no longer affordable. Or if we have identified at a tenancy review that your home is no longer affordable, and have agreed to move you. In exceptional circumstances, this can be waived by the Lettings Manager and Income Manager for tenants with very urgent needs.
- We or another landlord has commenced legal action for breach of tenancy or possession (a Notice of Seeking Possession has been served) or under other legislation relating to the use of your current or previous property
- Own or have a legal interest in any residential property in the UK, unless it is a home which is not suitable, in which case we will satisfy ourselves that the applicant is actively selling such a property. If an applicant is not actively

selling a property we will satisfy ourselves that the intention is to sell the property.

- Already hold a social or affordable tenancy elsewhere, unless you are going to give up that tenancy as part of being rehoused.

Affinity Sutton further reserves the right, in exceptional circumstances, to restrict offers of accommodation that are considered to be inappropriate in relation to any information obtained via a Risk Assessment or Support Needs Assessment process. We will only consider housing ex-offenders where appropriate and robust support and risk management plans are in place and will continue after re-housing has occurred. We will need to be satisfied that such an allocation complements the local lettings plan and our approach to safe, secure and sustainable communities. We'll have regard to the best interests of our existing residents in that community when taking such a decision.

Housing fraud is a criminal offence, and anyone found to have deliberately lied, provided false information, or withheld information as part of an application will not be accepted as an eligible applicant by us. We reserve the right to pursue a prosecution with regard to housing fraud. We will take action against tenancy fraud. A property obtained by deception will be repossessed. If we discover this type of irregularity at the offer stage, we will withdraw the offer.

Affinity Sutton values good tenants, and where possible we will take up references from previous landlords. For applicants who are not nominated by a local authority, references are required: this should be a housing reference from a current or previous landlord, except where the applicant has not held a tenancy, where we may look to obtain an employment reference. If we are unable to gain a suitable reference we may consider requesting a home visit by our housing team during the application process or if the applicant is shortlisted for a property.

Where local authority nominees have held a tenancy, we value landlord references to support proof of eligibility. If references are not provided, we may contact previous landlords to check that there are no reasons why the nominee is not eligible.

**An applicant must engage with the association and or local authority when processing and verifying the application that has been made. If a applicant fails to engage or provide information within set timeframes that may reasonably be needed to assess the application the application can be rejected, or offer withdrawn.**

## **5. Affordability**

We may carry out an affordability assessment on applicants, including transferring tenants, direct and Home Choice applicants and those nominated by local authorities. Where a home is unaffordable (If their outgoings are more than 45% of their income) we may have to refuse the application or nomination. Where tenants propose to swap properties in a mutual exchange, we request that they discuss affordability with us, so we can provide advice prior to the exchange taking place. We cannot refuse a mutual exchange on the grounds of affordability, but we do want to

avoid tenants putting themselves into a position where they cannot afford the rent, and therefore put their tenancy at risk.

### **5.1 Social Tenancies:**

For most social tenancies we will conduct a quick assessment of income (including benefits). Circumstances where a social home may be unaffordable and so we would carry out an affordability assessment include:

- The applicant is applying for / has been nominated for a home which is too large, meaning that benefit deductions may apply. This may affect foster carers who do not have children resident at all times;
- The applicant's household may mean they are affected by overall benefit caps (for Universal Credit). We will work with local authorities to provide advice and assistance;
- The applicant's age may mean that they may not qualify for housing benefit entitlement

### **5.2 Affordable Rents:**

For affordable rent tenancies, we have an affordability calculator which considers a household's income and outgoings. We do not want to encourage people to live in housing which they cannot afford. We encourage prospective tenants to think carefully about their housing options and choices.

Using our affordability calculator, we will look at the applicant's monthly income and with the monthly rent for the property they are interested in. If their outgoings are more than 45% of their income, we deem the property is not affordable.

If an applicant fails our affordability test, we may agree to grant a tenancy if they can demonstrate that moving to our home would reduce their housing costs. We will take into account any entitlement to housing benefit, the applicant's current circumstances in making a decision of if we can proceed with an offer of accommodation

Applicants for Rent 4 Less Homes, who are not already Affinity Sutton tenants, will also need to be able to afford a tenancy deposit equivalent to one months' rent, and will be asked to pay the rent in advance for the remainder part of the month at the sign up meeting. For instance if the tenancy is being signed on 16<sup>th</sup> of the month, applicants will be asked to pay the rent due from 16<sup>th</sup> to the end of that month in advance.

## **6. Who do we give priority to for housing?**

As a charity, our prime purpose is to help people who are in housing need that they cannot meet in the private market.

Social and affordable housing is a valuable commodity for which demand in some areas can far outstrip supply. We want to encourage people to be good tenants, and to take responsibility for their own lives, through engaging in work, training, voluntary work or other community activities.

With the allocations we control directly, we will support:

- our tenants who need to move for their work or because of an urgent housing need, because their home is no longer affordable, or we have identified at a tenancy review that it is no longer suitable
- our tenants who are in low paid employment or who make a significant contribution to their community, and who have a housing need to move
- our tenants who can move to release larger homes, adapted homes or other homes identified as in short supply in a given area
- applicants in low-paid employment, or who make a significant contribution to their local community who have a housing need to move.

Through nominations to us from local authorities, we will continue to support

- households in need, as defined by reasonable preference categories
- other people in need locally, as defined by the local allocations policy
- tenants of other landlords who need to move, including to release much-needed homes

We operate two housing registers through Home Choice – one for transferring tenants, and one for new applicants. We award priority using a banding scheme. The detailed operation of the scheme, including how to apply, how we decide who to allocate properties to, and how to appeal decisions, is set out in the procedure document.

## **7. Tenant Transfer Register**

The Tenant Transfer Register has Three Bands:

**Urgent Band:** Need to move very soon, at risk of becoming homeless if we cannot find suitable housing quickly. This includes those tenants we need to decant permanently from their current home to permit major repairs or redevelopment.

If we cannot find suitable housing in the right location for urgent band applicants, we will work with the relevant local authority, and other landlords, to help our tenants to move. We will also offer such tenants housing advice on their other options;

**High Priority:** tenants who we are keen to move, either because they live in homes of a type that is in short supply, which they no longer require, tenants who need to move because of a disability, and tenants who cannot afford their home, and need to move to avoid running up rent arrears.

We may not be able to meet all of the needs of our high priority tenants quickly so we will work with other landlords to help tenants affected by welfare cuts, where we do not have enough smaller properties in all areas. We will discuss other housing options, including how to move into the private sector;

**Priority:** tenants who are working or making a significant contribution to their local community, and who need to move to take up work, to help them stay in work, or to alleviate overcrowding. Our capacity to help priority tenant transfers will depend on the location, size and type of property required. We will provide advice, and publish

information on how often properties become available in different areas, to help tenants consider their options realistically.

### **7.1   Urgent Band**

- Tenants who are victims of crime or domestic abuse, where this has been verified by police (and who we are supporting to move to a new area);
- Tenants who we are supporting to move for management reasons (as approved by the housing team and defined in Appendix 4),
- Tenants who have an urgent medical or disability need which means that they cannot continue to occupy – or who cannot return to – their current home where there is a member of the tenants household who urgently needs alternative accommodation for a medical or disability related reason such as tenants who have become disabled as a result of accident, tenants who have a medical need that requires specialist equipment that they do not have space for. We will require confirmation from a hospital consultant, General Practitioner or Occupational Therapist, and may require an assessment by an Occupational therapist to determine what accommodation is required.

### **7.2   High Priority**

- Tenants who need to move because they cannot afford their current accommodation,
- Tenants who are under occupying family sized accommodation (have more bedrooms than they need) and are willing to downsize. Section 9 explains what size accommodation a household is entitled to, and how we define under occupation
- Tenants who are living in housing adapted for disabled persons, who do not need the adaptation
- Tenants who have a medical or disability need which means that their current home is unsuitable for them, or for a member of their household. This includes applications where the tenant or a family member cannot leave the home without help, or cannot access washing or cooking facilities, but could do so, if they lived in more suitable accommodation and where the applicant's current housing is having a significant detrimental effect on their, or a member of their household's medical condition and that their health is likely to seriously deteriorate unless rehousing takes place. We will require confirmation from a hospital consultant, General Practitioner or Occupational Therapist, and may require an assessment by an Occupational Therapist to determine what accommodation is required. For some applicants, it may be preferable to adapt their current home. We will consider an award where the tenant needs to move area in order to access more regular care/support. 'Moving area' will generally be considered as moving to another town from where the applicant is currently living or at least 1 hour away from their current home.
- Ready to begin fostering or adoption, but need a larger home to do so. We will require confirmation from the local council Children's Services Team that

the applicant has been approved as a foster carer/ adoptive parent and that a placement is due.

Where a tenancy is overcrowded and there are non-dependent adults in the household (e.g. grown up children) we can support those adults to look for work. Once they are in work, we will consider applications under Home Choice for them to move into their own accommodation. We can also provide advice on other housing choices available to them.

### **7.3 Priority**

- Tenants who need to move so the tenant, partner or other adult member of the household can take up or remain in work. Reducing travel time and costs, or making family-based childcare possible. We will require proof of employment, and evidence of what difference a move would make
- Tenants who are in work or making a significant contribution to their local community, and who need to move to a larger home because they are overcrowded by at least one bedroom
- Tenants who are making a significant contribution to their local community, and have a need to move which will allow them to continue to contribute effectively.
- Tenants who are not in work or making a significant contribution to their local community, and who need to move to a larger home because they are overcrowded by at least one bedroom.
- Tenants needing to live in an environment which provides independent living for older people.

For priority applications, we need to verify that the applicant is in work or making a significant community contribution.

### **7.4 No Priority**

We will only accept applications from tenants if they are assessed as having 'No Priority' in the following circumstances:

- If they are a current tenant living within the Mid Sussex area and they wish to move within Mid Sussex.

If they are a current tenant who wishes to be housed in one of our agreed Priority Lettings Areas (PLA's). The full list of the current PLA's are set out in our Priority Lettings Area procedure.

No points will be awarded to any applications accepted in the 'No Priority' band.

## **8. Home Choice Applicants who are not our tenants**

**High Priority:** applicants who are in low-paid work, and who have a housing need to move.

**Priority:** applicants who are working or making a significant contribution to their local community and who need to move in order to take up work, or to help them stay in work.

Whether, and how quickly, we can help Home Choice applicants will depend on the size and type of property required, and the location. We will provide advice, and publish information on how often properties become available in different areas, to help tenants consider their options realistically.

Home Choice applicants may be offered affordable rent properties. These properties are suitable for people who are working, and who can afford to pay rent, but not for people on high incomes who could afford to rent or buy on the open market. They may also be suitable for applicants who would qualify for housing benefit. We will assess this with our affordability test, and may set upper incomes and savings limits on a regional basis.

### **8.1 High Priority:**

- applicants who are in work (as defined in Appendix 4) and who have a housing need to move, because they are:
  - o Overcrowded in their current accommodation by at least one room. This includes young adults who are sharing with parents or other relatives, and need to move to independent accommodation. In employment or making a community contribution.
  - o Unable to afford their current accommodation and thus at risk of homelessness. We will use our affordability calculator to assess this.
  - o Living in accommodation which does not meet their medical or disability needs, or which lacks space needed for mobility/medical equipment. This includes applications where the applicant or a family member cannot leave the home without help, or cannot access washing or cooking facilities, but could do so, if they lived in more suitable accommodation and where the applicant's current housing is having a significant detrimental effect on their, or a member of their household's medical condition and that their health is likely to seriously deteriorate unless rehousing takes place. We will require written confirmation from a medical practitioner or Occupational Therapist, and may require an assessment to determine what accommodation is required. We will consider a medical award where the applicant needs to move area in order to access more regular care/support.
  - o Living in poor quality accommodation, which the landlord has refused to repair or improve. We will require written verification from the local council environmental health department that the home is unsatisfactory and that they are not taking action to get it repaired within a reasonable timescale.
  - o Ready to begin fostering or adoption, but need a larger home to do so. We will require written confirmation from the local council Children's

Services Team that the applicant has been approved as a foster carer/ adoptive parent and that a placement is due.

## **8.2 Priority**

- Applicants who need to move so the tenant, partner or other adult member of the household can take up work, or need to move to be able to remain in work. We define employment in Appendix 4. Supporting them to remain in work can include: reducing travel time and costs, or making family based childcare possible. We will require proofs of employment, and evidence of what difference a move would make.
- Overcrowded in their current accommodation by at least one room. This includes young adults who are sharing with parents or other relatives, and need to move to independent accommodation. Not in employment or make a community contribution.
- Needing to live in an environment which provides independent living for older people.

## **8.3 No Priority**

We will only accept applications from applicants if they are assessed as having 'No Priority' in the following circumstances:

- If they are a direct applicant who wishes to be housed in one of our agreed Priority Lettings Areas (PLA's). The full list of the current PLA's are set out in our Priority Lettings Area procedure.
- If they are being referred by an agency we've agreed to work in partnership with e.g. Veterans Scheme

No points will be awarded to any applications accepted in the 'No Priority' band.

## **8.4 Band and Points Award**

Each application will be placed in the appropriate band according to the housing need of the household. The points awarded are set out in Appendix 3.

There will be no accumulation of points within a band. If the household has more than one identified housing need it will be recorded with the housing need that attracts the highest level of points.

## **9. Suitability and Size of Property**

For social housing, we will allocate a home which meets the size of property the household needs, as set out below, unless they are a very large household (needing a home of four beds or larger), in which case we may allow them to over-occupy by

one room (i.e. to move into a house that is smaller than they need – but larger than where they are now).

For housing in our Priority Letting Areas, we may allow applicants to bid for a home that is one bedroom larger than they need, but only if they are in employment and can afford to do so. Or if the applicant is moving into housing that has specific age restrictions which would generally mean that anyone occupying the accommodation would be under occupied. This is likely to be accommodation that is designated for older residents. For housing that is designated for older people we will allow a single person or couple to be considered if the property is affordable for them. Applicants with a 2 bedroom need will always be considered first.

## **9.1 Property Size**

We assess the size home an applicant needs based on allowing one bedroom for:

- the applicant and their spouse or partner
- each person in their household aged 16 or older (adult children, grandparents and others, but not including lodgers)
- every pair of children in their household of the same sex aged younger than 16
- every pair of children in their household aged less than 10 years
- any other child aged under 16 in their household left over
  - a resident or non-resident carer, if they need care overnight and this can be confirmed by a social care assessment

This means that a single parent or couple with two daughters (or two sons) aged under 16 is entitled to a 2 bed home, but a family with one son and one daughter is eligible for a 3 bed home once the eldest child is ten years old. Where parents are separated we will only include those children in our calculations if they live with the parent for at least 4 nights a week or the majority (two thirds or more) of the year. We may make exceptions and allow an extra bedroom in specific circumstances such as we will sometimes allow an extra room on medical or disability grounds, for example for a disabled child who has large equipment, or who needs care in the night, and cannot therefore share with a same-sex sibling. We will asses these cases in line with the current Government Housing Benefit Guidance.

In certain circumstances we may consider allowing couples an additional room if there is a need for one of them to sleep in a room alone or where an additional room is needed for medical equipment. Sufficient medical evidence will be required and applicants will need to be aware that an additional bedroom may exceed the bedroom entitlement criteria for Local Housing Allowance (LHA), and may not be fully covered by housing benefit. The affordability of the spare bedroom will be taken in consideration in the decision making.

In assessing the number of bedrooms in a house, a living room can be counted as a (downstairs) bedroom if there are two separate living rooms.

Where we have identified properties as a Priority Letting Area where extra time investment is needed in order to secure a letting, for instance with larger properties due to the effects of welfare reform changes then we will consider the under occupation of properties by 1 bedroom if the applicant is employed and passes an affordability check. In exceptional cases we may consider cases where the applicant can demonstrate they can afford the property on a long term basis. The full criteria on who is eligible to apply for these specific properties will be set out in our property adverts. Areas and property sizes that are Priority Letting Areas will be reviewed and updated on a quarterly basis by the Housing Options & Voids & Lettings Managers.

## **9.2 Under occupation**

We encourage all those living in a home that is larger than they need to consider downsizing, to free up much-needed family homes.

Under occupiers of working age in receipt of benefits may find it difficult to keep up with rent payments, so we encourage all affected households to talk to us early on about their options: they could move, or they may prefer to take in a lodger to help with the rent on a temporary or long-term basis, perhaps whilst planning a move in the future.

## **9.3 Overcrowding**

Overcrowding means not having enough bedrooms to meet the needs of the household. Generally, overcrowding results from decisions taken by the tenant and does not create a right to be rehoused.

If an applicant is overcrowded, we will look for opportunities to help them to move, but we can also provide advice to tenants on other options. This could include looking at ways to use space better, and considering whether any adult members of the household (including grown up children) can move out on their own. We can provide advice and support to young people to help them on the road to work and towards a home of their own.

# **10. Rejections and Refusals**

## **10.1 Rejections**

We can reject an application at any stage if the applicant: -

- has failed to provide the evidence we require under our lettings policy eligibility criteria or has not followed our processes;
- where the property would be unaffordable;
- where the applicant requests a property in a location that we do not have properties, or features that our properties do not have;

- where the applicant has not complied with the time limits and actions set out in our procedure;
- where the property would otherwise be under occupied or overcrowded or
- otherwise fails to qualify under our lettings policy.

## **10.2 Refusals**

If an applicant decides not to accept an offered property (either after a viewing, or because they decide not to view) this is a refusal. We need to understand why properties are refused both to help us to meet that applicant's needs better, and to help us to make sure our properties meet what people are looking for.

If an applicant refuses two offers we may contact them to discuss their options, as it may be that Affinity Sutton cannot provide what they are looking for.

If an applicant refuses three offers we will cancel their application, unless there have been good reasons for refusing.

## **11. Appeals and Complaints**

We will consider appeals against our decisions, especially any decisions to:

- reject from the waiting list
- place an application in a lower band
- refuse to offer accommodation on affordability grounds
- suspend an application

Applicants who want to ask us to review a decision must contact us in writing within 28 days of the decision, with their reasons. We will ask another officer to check the original decision, and to respond within 21 working days of receiving the request.

We aim to provide excellent services and to treat people fairly. When things go wrong, we will listen carefully, take concerns seriously and provide advice immediately. If we need to investigate, we will do so quickly.

To appeal a decision, or make a complaint, contact us by telephone on 0300 100 0303, or by email to [customerservice@affinitysutton.com](mailto:customerservice@affinitysutton.com)

## **12. How we will review our policy**

We have developed our lettings policy in consultation with our regional scrutiny boards. We will ask applicants and tenants to give us feedback on a regular basis, and use this to inform any future reviews of policy. Reviews will be carried out annually.

We have considered equalities issues in developing this policy, and we believe that it gives fair access to housing to people from disadvantaged groups, whilst seeking to create healthy, vibrant communities. We will monitor the impact of the policy on our communities, and will also check that it is not leading to an unfair disadvantage for any particular groups of people.

## **Lettings Policy – Standard Operating Procedures**

### **1. How Home Choice Operates**

Affinity Sutton properties will be advertised through our Choice Based Lettings scheme, Home Choice. This includes affordable rent homes, Rent4Less homes, and social rented homes and sheltered and supported housing.

In some areas of the country, all our homes are currently advertised and allocated through the local council's housing allocation scheme. Details are set out on our website.

#### **1.1 Housing Options Service**

Affinity Sutton has a dedicated Housing Options Team that is able to provide housing options advice on a national basis. This will include advice on how applicants and existing residents can apply for a home in the required area of their choice. The Housing Options Team is able to provide information to include stock levels in local authority areas by bedroom size as well as indications of the amount of vacancies in the required area over a set period of time in order to provide applicants with realistic housing advice. The Housing Options Team will also provide advice on other housing options such as mutual exchange, Housing Moves, Rent 4 Less and Shared Ownership. If an applicant is looking for accommodation in an area that Home Choice operates but is having difficulty in completing the online form and doesn't have friends/family to assist the Team will arrange phone appointments in order to complete the application form with the applicant.

#### **1.2 Applications**

Applications to join Home Choice must be made on line. Our Housing Options Wizard guides applicants through the process, and directs them to local council waiting lists, if appropriate. For applicants who meet our eligibility criteria (as set out in Section 4 of the Lettings Policy), we register the application on Home Choice. Our Wizard can also provide information about other housing options such as shared ownership.

If an applicant needs support, they can call us on 0300 100 0303.

It is the responsibility of the applicant to keep their application up to date – failure to give us relevant information may mean they are not eligible for housing, or will not be considered for properties that would suit them. If applicants deliberately withhold or give false information we will take action against them for housing fraud.

### **1.3 Advertising**

Each week, we advertise properties available for rent on the Home Choice website. We aim to provide all the information applicants need to decide whether a home is suitable for them, including: location, size, rent level, any special features, and any restrictions on who may live there.

We display photos of the property on Home Choice, and for some properties there may be a virtual tour online.

We set out whether the property has restrictions that mean we can consider bids only from specific groups, for example:

- adapted homes – bids only accepted from people who can use the adaptations
- retirement and sheltered housing – bids only from people over a specified age (age varies between schemes)
- people in employment only – if this is required for a local lettings plan

We will let around half of our vacant properties to existing tenants needing to transfer. Some properties may be labelled for tenants only or applicants only.

### **1.4 Bidding and Shortlisting**

Full instructions on how to bid for a property are included in the Home Choice user guide, and on line. Applicants can keep track of bids on line, and may only make 3 bids per cycle, but should only bid for homes they are interested in as they may lose priority for refusing a suitable home.

We consider all the bids received which are suitable – that means, we will consider bids from people who need a home of this size. We then place the bids in priority order based on:

1. Band – urgent, high priority, priority

2. Date within band – if two people in the same band have bid, we give priority to whoever has been on the register longest, including time of registration where dates are the same
3. If two people have the same priority date, and we have not specified whether the property is suitable for transfers and applicants, we will give priority to transfers. If two people with the same date are both in the same category, we will make a management decision on whom to give priority.
4. Where an applicant places a bid for more than 1 property and is placed first for all, we'll take the decision on which property to confirm an offer on and will bypass their first place bid for other properties.

## **1.5 Viewing**

We will invite short listed applicants to view the property as soon as possible. We will expect them to make a decision in a short time, usually within 24 hours.

If an applicant needs a support worker, occupational therapist or other professional to view the property, they should tell us at application stage or as soon as possible, so we can allow time for the professional to visit. If we know about a professional support, we will contact them too.

Sometimes we arrange multiple viewings where we invite several applicants from near the top of the list to view. We will offer the home to the highest placed applicant who is interested.

## **1.6 Offers and New Tenancies**

If the applicant is interested in the property we will formally offer them the tenancy subject to the following:

- verification of their details – we will check their identity, that they still meet our qualification criteria and that their circumstances have not changed;
- affordability – we will check that they can afford the rent;
- references – receipt of suitable references;
- tenancy management – we may require prospective tenants to complete a pre-tenancy assessment. If this identifies a need for further support, we discuss with them what support we can provide, and what help they may need from other agencies.

When the offer is accepted, we will grant a new tenancy, which we and the new tenant both sign. We provide advice about the type and terms of the new tenancy. Most new tenancies will be 6 year fixed term tenancies including a 1 year probationary period. At the end of the term we will grant a further five year fixed term tenancy so long as: the tenant is still eligible, has kept to the tenancy terms and maintained a clear rent account, and their circumstances have not changed (e.g. so they need a different size of property).

For existing tenants, and applicants who hold tenancies with other social and affordable landlords, other types of tenancy may be available. We will make clear what tenancy we are offering in our formal offer letter so that the customer can make an informed decision on whether to accept.

Once a property is ready to let our Lettings Officer will contact the customer to arrange the sign up. The applicant will be informed of the rent amount required at the sign up and what documents will be needed to verify details (if any). These documents will be in line with the Home Office Code of Practice for Illegal Immigration & Private Rented Accommodation.

The applicant will be sent an offer letter once the sign up appointment has been booked if one has not previously been sent, or a text will be sent to confirm the appointment and rent in advance amount. Our formal offer letters contact a link to our tenancy terms and conditions which the applicant is encouraged to read prior to the sign up appointment. Generally the tenancy start date will be the day that the applicant signs the tenancy agreement. If there are reasons why an applicant would be unable to accept the tenancy on the day the tenancy agreement is signed we may agree to for a tenancy start day to be a few days after the tenancy agreement is signed in certain circumstances, for instance if the applicant has particular vulnerabilities and is unable to access the require support to assist them moving into the property on the day of the sign up. Decisions to delay the tenancy start date will be considered on case by case basis.

For any new tenant who has not previously held their own tenancy, we have a Tenancy Sustainment Service. All new tenants without a previous tenancy history will be expected to engage with one of our tenancy sustainment team.

All new tenants of working age who are eligible to seek employment but are not in work at the point of taking a tenancy with is able to receive an initial assessment from our specialist team about training to work, apprenticeships and employment opportunities. This service also provides welfare benefits advice and details of any grants available to support our tenants who want to move back/into work.

## **1.7 Other Housing Options**

We have a limited number of homes to rent and cannot help everyone who applies to us. We do provide other housing solutions directly such as home ownership, part rent part buy (shared ownership) and options for rent now, purchase later. Our Housing Options Wizard points to other options including advice, assistance and accommodation available through the local council.

### **1.8 Information about lettings**

Once properties have been let, feedback information is available on our Home Choice site:

- How many bids were placed for the individual property
- The band of the successful bidder
- The waiting time of the successful bidder

Bidders are encouraged to use this to help them to understand how long they may have to wait for a property in a particular area, and to consider their housing options realistically.

### **1.9 Direct Offers**

The majority of our homes that are not subject to nomination agreements will be let to bidders under Home Choice or other advertising routes outlined in Section 3 of the Lettings Policy, but sometimes we will offer to applicants who are eligible and who would be likely to get an offer in the following circumstances:

- we have advertised the property and no-one has bid who needs that type of property, so we contact someone direct who does need it;
- the property has very particular features that make it suitable for someone;
- we need to make an offer very quickly to someone in the most urgent band, and are able to house them more quickly if we do not advertise;
- we are able to create a chain of moves, by inviting a tenant to take up a particular offer. Most housing chains will be created using choice, perhaps by advertising properties for transfers only, but we reserve the right to use direct offers where necessary;
- Where we are working in partnership and the offer is a result of our commitment to the Armed Forces Pledge which recognises the commitment of returning service personnel and we are taking direct referrals where we have signed up locally to the regional covenant
- The offer is made as a result of agreement through our Management Transfer policy.
- Or for some other reason that facilitates best use of our housing.

We will include information on direct offers in our feedback to bidders.

## **Appendix 1**

### **Policy Objectives**

The policy aims are to:

- Be both fair and transparent. We want to provide good advice to applicants about their housing options, and not to raise unrealistic hopes.
- Give clear guidance to applicants and tenants on how we prioritise our allocations, allowing them to make choices that increase their chances of being (re)housed.
- Help us ensure we provide homes and services to people in housing need
- Help residents into work and training through appropriate housing moves
- Help make the best use of our housing stock, especially of properties that are in scant supply
- Reward people who make significant unpaid contributions to local communities

- Contribute to local authorities' strategic housing function and sustainable communities.

## **Appendix 2**

### **Other relevant policy documents**

- Our approach to allocations for Affinity Sutton
- Lettings procedures
- Rent Setting policy
- Tenancy policy
- Management Transfer policy
- Mutual Exchange policy
- Rent Arrears policy
- Antisocial Behaviour policy
- Harassment and Hate Crime policy
- Data Protection policy
- Equality, Diversity and Inclusion policy
- Decant policy
- Domestic Abuse policy
- Anti Fraud and Corruption policy
- Code of Conduct
- Starter Tenancy policy

## **Appendix 3**

### **Bands and Points**

#### **Transfers**

<b>Urgent Band</b>	<b>POINTS</b>
Tenants who are <b>victims of crime or domestic violence</b> , where this has been verified by police (and who we are supporting to move to a new area);	250
Tenants who we are supporting to move for <b>management reasons</b> (as approved by the neighbourhood housing manager)	250
Tenants who have an <b>urgent medical or disability need</b> which means that they cannot continue to occupy – or who cannot return to – their current home where there is a member of the tenants household who urgently needs alternative accommodation for a medical or disability related reason. Examples of this include tenants who have become disabled as a result of accident, tenants who have a medical need that requires specialist equipment that they do not have space for. We will require confirmation from a hospital consultant, General Practitioner or Occupational Therapist, and may require an assessment by an Occupational Therapist to determine what accommodation is required	250
<b>High Priority Band</b>	
Tenants who need to move because they <b>cannot afford their current accommodation</b> (as a result of the bedroom tax, or as agreed at a tenancy review prior to the ending of a fixed-term flexible tenancy)	200
Tenants who are <b>under occupying family sized accommodation</b> (have more bedrooms than they need) and willing to downsize. Section 9 explains what size accommodation a household is entitled to, and how we define under occupation	150
Tenants who are <b>living in housing adapted for disabled persons, who do not need the adaptation</b>	200
Tenants who have <b>a medical or disability need which means that their current home is unsuitable for them, or for a member of their household</b> . This includes applications where the tenant or a family member cannot leave the home without help, or cannot access washing or cooking facilities, but could do so, if they lived in more suitable accommodation and where the applicant's current housing is having a significant detrimental effect on their, or a member of their household's medical condition and that their health is likely to seriously deteriorate unless rehousing takes place. We will require confirmation from a hospital consultant, General Practitioner or Occupational Therapist, and may require an assessment by an Occupational Therapist to determine what accommodation is required. For some applicants, it may be preferable to adapt their current home. We will consider an award where the tenant needs to move area in order to access more regular care/support. 'Moving area' will generally be considered as moving to another town from where the applicant is currently living or at least 1 hour away from their available support.	200

Ready to begin fostering or adoption, but need a larger home to do so. We will require confirmation from the local council Children's Services Team that the applicant has been approved as a foster carer/ adoptive parent and that a placement is due	30
<b>Priority Band</b>	
Tenants who need to move so the tenant, partner or other adult member of the household can <u>take up employment, or where a move enables them to remain in employment</u> . We define employment in the policy. Supporting to remain in employment can include: reducing travel time and costs, or making family-based childcare possible. We will require proofs of employment, and evidence of what difference a move would make	100
Tenants who are <u>in work or making a contribution</u> to their local community, and who need to move to a larger home because they are <u>overcrowded by at least one bedroom</u>	100
Tenants who are making a contribution to their local community and have a need to move, and the move will enable them to continue to contribute effectively	50
Tenants who are <u>not in work or making a contribution</u> to their local community, and who need to move to a larger home because they are <u>overcrowded by at least one bedroom</u>	30
Needing to live in an environment which provides independent living for older people	30

### General Applicants

<b>High Priority Band</b>	
<u>Overcrowded in their current accommodation by at least one room</u> . This includes young adults who are sharing with parents or other relatives, and need to move to independent accommodation. In work	30

and/or making a community contribution	
<b>Unable to afford their current accommodation</b> and thus at risk of homelessness	30
Living in <b>accommodation which does not meet their medical or disability needs</b> , or which lacks space needed for mobility/medical equipment. This includes applications where the applicant or a family member cannot leave the home without help, or cannot access washing or cooking facilities, but could do so, if they lived in more suitable accommodation and where the applicant's current housing is having a significant detrimental effect on their, or a member of their household's medical condition and that their health is likely to seriously deteriorate unless rehousing takes place. We will require confirmation from a medical practitioner or Occupational Therapist, and may require an assessment to determine what accommodation is required. We will consider a medical award where the applicant needs to move area in order to access more regular care/support	30
Living in <b>poor quality accommodation, which the landlord has refused to repair or improve</b> . We will require verification from the local council environmental health department that the home is unsatisfactory and that they are not taking action to get it repaired within a reasonable timescale	30
<b>Ready to begin fostering or adoption, but need a larger home to do so.</b> We will require confirmation from the local council Children's Services Team that the applicant has been approved as a foster carer/adoptive parent and that a placement is due	30
<b>Priority Band</b>	
Applicants who need to move so the tenant, partner or other adult member of the household can <b>take up employment, or need to move to be able to remain in employment</b> . We define employment in Appendix 4. Supporting them to remain in employment can include: reducing travel time and costs, or making family-based childcare possible. We will require proofs of employment, and evidence of what difference a move would make	20
<b>Overcrowded in their current accommodation by at least one room.</b> This includes young adults who are sharing with parents or other relatives, and need to move to independent accommodation. <b>Not in employment or make a community contribution</b>	10
Needing to live in an environment which provides <b>independent living for older people</b>	30

#### Appendix 4

## **Definitions**

Our definition of work is:

- the applicant or their partner must have been working continuously for at least the past three months
- they should be working at least 24 hours per week (couple with or without children, or single person without children), or 16 hours per week for a single parent
- they should expect to remain in work (although they may not have a permanent contract)
- work includes self-employment

We will verify that the applicant (and/or partner) is employed. This may include a copy of a contract, a letter from the employer, pay slips, accounts for self-employed, or verification from the DWP.

Our definition of significant community contribution is:

- the applicant or their partner must have been making a valid contribution for at least the past six months
- they should be contributing at least 24 hours per month (couple with or without children, or single person without children), or 16 hours per month for a single parent
- they should expect to continue to contribute
- their contribution must be verifiable
- their contribution must be significant in that if the applicant or their partner did not carry out that activity another person would be required to undertake it
- Valid forms of community contribution include:
  - o Voluntary work – to be confirmed by a recognised charity or registered association. This can include Parish Councils, Youth Organisations and our Tenant Scrutiny Panels as well as charity shops, day centres, community facilities, etc.
  - o Providing care to a disabled person or dependent relative – to be verified through a valid claim for carer's allowance. In some cases, we may support the person receiving care rather than the carer to move.

- Providing foster care –the local authority to confirm that the applicant and/or partner has been registered as a foster carer for at least 6 months, has provided foster placement(s) and remains registered to provide care in future.

Our definition of household is family members previously housed plus any dependent children and/or carers; household does not include other parties previously living with the household such as sub-tenants or lodgers.

Our definition of management reasons is:

- where the safety and well-being of a resident and/or a member of their household is at serious risk such that they need to move urgently; and where
- the resident and/or member of their household must have complied with our policies generally, and followed those relevant to such issues, as harassment and hate crime, anti-social behaviour, domestic abuse; and
- there is clear evidence of: -
  - threats of or actual violence from inside or outside the existing property;
  - threats of or actual sexual abuse caused by a member of the household;
  - harassment/hate crime intended to intimidate
  - Where a resident needs to be decanted to allow major works to be completed
  - Where a property is part of a refurbishment scheme and the resident needs to be moved permanently to allow the refurbishment to take place
  - other exceptional cases as approved by the area housing manager and lettings manager. These cases would normally come through the management transfer route.