

Section; Housing

Policy name; Lettings Policy

Executive responsible; Housing Manager

Review by; Housing Manager

Tenant review: Not yet

Type of review; Exception

Authority to amend; Board

Frequency of review; Every three years

Last review; December 2014

Next review; December 2017

Responsibility for delivery; Housing Department

Supporting documents; DHC publications & HomeSwapper publications

Strategy; Housing Management Strategy

Associated risk; Risk 70: Choice Based Lettings fails

Health & safety; Breach of this policy unlikely to have direct impact on H&S

Equality & diversity;

Equality is a fundamental principle of this policy – all applicants for housing will be treated fairly in accordance with the Devon Home Choice and Cornerstone policies. Particular attention to be given to applicants who cannot access the policy and associated information in the usual ways.

VFM & benchmarking;

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VERSION CONTROL			
Version Number	Sections Amended	Date of update	Approved by
1.0	First issue in new template	Aug 11	<i>Board</i>
2.0	Amendments throughout policy	Dec 14	<i>Board</i>
2.1	Clarity on the letting criteria	March 15	<i>CE</i>

Introduction

Cornerstone is a charitable Housing Association which has over 1250 general needs properties. Cornerstone does not have any sheltered or supported housing schemes within its housing stock.

Cornerstone Housing Limited is a non-profit making charitable housing association registered with the Homes and Communities Agency and affiliated to the National Housing Federation. Cornerstone is also a registered society under the Co-operative and Community Benefit Societies Act 2014.

Cornerstone does not keep its own waiting list. Property vacancies are normally let through Devon Home Choice, a regional choice based lettings scheme. Cornerstone assist the local authorities to carry out their duty towards the homeless and to allocate homes to people in need.

All applicants who apply for housing through Cornerstone are treated fairly and equally regardless of race, colour, ethnic or national origins, gender, sexuality, religion, age, physical disability, mental health, political views or marital status.

We have targets in place to ensure that discrimination does not take place and the policy is regularly monitored and reviewed. We are committed to a fair and equitable housing policy to provide housing for people in greatest need.

Cornerstone are committed to creating and maintaining sustainable communities.

Lettings

There are two methods by which we may be able to provide housing for you.

Devon Home Choice (DHC)

DHC is a regional choice based lettings scheme which covers Devon. DHC is responsible for the allocation of the majority of social housing vacancies and is run in partnership with local authorities and other housing providers, including Cornerstone.

Applicants who apply to join DHC will need to complete an application form. The housing need of the person concerned will then be assessed by DHC and if accepted, they will be placed in an appropriate band category (A,B,C,D or E) which reflects their housing priority.

Cornerstone property vacancies are advertised through DHC and applicants who have registered are able to bid for them. The property is normally offered to the bidder in the highest band who has been on the waiting list longest.

In order to be considered for a property the successful bidder would need to meet Cornerstone's Letting Criteria as set out below or any other criteria that may apply such as a local lettings plan. It is, therefore, possible that an applicant may satisfy DHC requirements but still not qualify for a Cornerstone tenancy.

Property vacancies may be re-advertised if no suitable applicants apply. Alternatively the vacancy may be let in any way deemed appropriate.

If you are interested in finding out more or want to apply to Devon Home Choice please visit their website at www.devonhomechoice.com or contact them at the Civic Centre, Paris Street, Exeter Telephone 01392 265889 or alternatively contact Cornerstone on 01392 273462.

Mutual Exchange

If you are a tenant of Cornerstone, a local authority or another housing association, then you may be able to exchange properties with another tenant depending on the type of tenancy you have.

Tenancies

Cornerstone currently uses 6 types of tenancies;

Assured Tenancy

Assured tenancies are generally the most commonly used tenancies throughout the social housing sector. They can only be ended by the tenant giving notice or by a court order.

Secure Tenancy

All Cornerstone tenancies created prior to 1989 are secure tenancies. The maximum rent Cornerstone can charge is set by the government valuation office (fair rent act). Although secure tenancies are no longer offered to new tenants, if an existing secure tenant of Cornerstone moves to another Cornerstone property, they will retain their secure tenancy status.

Starter Tenancy

This is an assured shorthold tenancy and is offered to all new tenants. After the initial 12 month probationary period, it should automatically convert to a full assured tenancy unless terminated or extended by Cornerstone. Existing Cornerstone tenants and tenants mutually exchanging to Cornerstone will not be given a starter tenancy.

5 Year Fixed Term Tenancy (Affordable Rent)

Five year fixed term tenancies are currently restricted to new developments and a small percentage of relets. They are renewable subject to certain criteria being met. This is to help ensure the most efficient use of the Association's social housing stock reference to occupancy levels. Affordable rents (80% of market rent) will be applied to these tenancies.

Periodic assured shorthold tenancy

These tenancies may be used as either a temporary measure to cover a number of short term situations or for longer periods depending on the circumstances.

Licence agreement

These agreements are only used where it is not possible to offer an assured tenancy because of occupancy or property restrictions.

Cornerstone Letting Criteria

Applicants are NOT eligible for housing by Cornerstone if one or more of the following 7 points apply;

1. If you owe rent or rechargeable repairs to any social landlord you will not normally be offered a property unless you agreed with your landlord to clear the debt or pay by regular instalments and the outstanding balance is no more than £250.
2. If you were evicted by a social landlord for a breach of the tenancy agreement. Examples could include; a) nuisance or harassment to neighbours b) using accommodation for immoral or illegal purposes or c) serious damage or neglect of a property d) rent arrears.
3. If you are under the age of 18 years (this age restriction applies to the applicant(s) only and not other members of the household).
4. If you are a home owner. However, we may be able to help the elderly or disabled if they are living in a mobile home or a property of relatively low value. Other exceptional circumstances may be taken into consideration and each case will be looked at individually.
5. Cornerstone has no sheltered or supported housing schemes and as such we are unable to accept applications from persons requiring the level of care that such schemes would provide. For applicants who have support needs but not to the extent of the above, we would require confirmation from Social Services or a support agency that the property being offered is appropriate for the applicants needs and that a tenancy could be sustained.
6. If your household's net annual income exceeds the maximum set by Cornerstone at the time that an offer of accommodation is being considered then you will not be eligible for the offer. Details of the current limits are:

Single person	£25,000 pa
More than one person	£35,000 pa

Note: different income criteria may apply for certain near market rent properties – details will be shown in the advertisement.

Cornerstone will ignore capital (declared savings, net value of house etc.) up to the level disregarded for Housing Benefit purposes which is currently £16,000, (as at August 2014). However, when calculating an applicant's income we add £20 per month as income from each £1,000 of any capital above the specified amount.

7. You do not meet the following property occupancy criteria.

Property occupancy criteria

For the purpose of this policy a child is defined as a person under the age of 18 years.

In determining the occupancy level Cornerstone will not allow children of the opposite sex to occupy the same bedroom at any age. There is no age limit on children of the same sex occupying a double bedroom.

Bed-sits can only be occupied by a single adult. No children (other than as visitors) are permitted.

One bedroom flats and maisonettes can only be occupied by 1 or 2 adults (depending on property size). No children (other than as visitors) are permitted.

Two bedroom flats and maisonettes

The selection of suitable applicants will be based on both bedrooms being used for full time residency. When this is not possible, consideration will be given for the second bedroom to be used for visiting children. Only when there are no eligible applicants with a housing need from these lists will single occupancy be considered.

Restrictions on children are listed in the following sections.

No resident children (other than as visitors) are permitted at: Norwood House, Cherry Barton, Cordery Road, Admiral Vernon Court, Phoenix House or Mount Dinham.

Children of any age are permitted in ground floor two bed flats.

Children 10 years and over are permitted to live in 2 bed flats above ground floor level (except in older flats where the flat beneath has not been soundproofed)

The minimum age for applicants at Cherry Barton and Norwood House is 60 years as these are designated retirement accommodation (1 and 2 bedroom flats). In exceptional circumstances we may lower the age limit to 55 years if we have difficulty filling a vacancy. We will also consider disabled people (no age restriction) as the flats offer level access. The

minimum age for applicants at Admiral Vernon Court and Phoenix Court is 55. Mount Dinham is restricted to the over 60s.

Bungalows

Allocation criteria for bungalows will be unrestricted in terms of child age as each application will be assessed on its own merit. Preference may be given to people with mobility need where there is a requirement for level access accommodation. Preference will usually be given to at least 2 persons but in certain cases 1 adult may be considered.

Houses

Cornerstone treats all houses as family accommodation and will only let these to applicants who have at least one child under the age of 18 years.

(When considering the composition of a household at the end of a Fixed Term Tenancy and before granting a new tenancy, any child who has reached 18 years or above during the period of the tenancy is considered natural family growth and will therefore be able to continue living in family accommodation).

Each house will be defined by the number of bedrooms and a maximum number of occupants. The minimum occupancy level is one person per bedroom. The maximum occupancy level is the stated number of persons.

For example a 3 bed 5 person house would be allocated to a household of 3, 4 or 5 people where at least one is a child. (A couple with only one child would not be eligible as they would not occupy all 3 bedrooms).

Exceptions to this rule would be a) if Cornerstone needed to adopt a temporary policy to reduce child density in a particular area b) or another exemption was in place such as a community lettings policy or c) the house has features which make it suitable for a wheelchair user or family member with mobility needs or applicants who require a live in carer d) the cottages at Mount Dinham where all occupiers must be over 60.

The lettings procedure

The lettings procedure is designed to make sure that everyone is treated fairly and in keeping with our policy of giving priority to people in the greatest need.

Board members, employees, close relatives of either and those who were a Board member or employee within the past 12 months may apply but their application will receive exactly the same consideration as any other applicant. Offers of accommodation must have prior approval of the Chief Executive.

At some stage prior to an offer of accommodation being made, the applicant will be visited at home by a Housing Officer and asked to complete a verification questionnaire (except in cases where the distance would make this impractical).

Following this meeting and a successful viewing of the property, the applicant will receive a written offer of tenancy which will give details of the accommodation and monthly rent. A Housing Officer will accompany the applicant to the property.

If accepted for the tenancy, the applicant will be offered a 12 month Starter Tenancy. This is a trial tenancy and at the end of the starter tenancy they should automatically become an assured tenant. However if there are breaches to the tenancy during this time, Cornerstone may extend the probationary period or where there are more serious breaches, we may decide to terminate the tenancy. Starter tenancies will not be given to Cornerstone's own tenants or those tenants mutually exchanging.

Mutual Exchange

Any person who is a tenant of a Local Authority or another Housing Association may apply to exchange with one of Cornerstone's existing tenants.

A tenant of Cornerstone who wishes to exchange can put their initial request verbally, in writing by letter or email to Cornerstone's office, stating the name, address and landlord of the person with whom the exchange is required. Both parties will then be sent an application form.

The process may take up to six weeks and it is important that you do not take any positive action concerning the exchange until you receive written confirmation from both Cornerstone and the other Landlord.

We will not unreasonably refuse an exchange and have to give a decision whether the exchange can proceed within 42 days (6 weeks) of the request being made.

All mutual exchanges will be by assignment (this legal agreement enables both parties to exchange properties and tenancy agreements). Both the outgoing and incoming tenant will be required to sign the assignment before it is valid.

If Cornerstone refuse an exchange, we will cite the appropriate grounds from the Localism Act 2011 and put this in writing to our tenant.

HomeSwapper

A national mutual exchange scheme that offers tenants the opportunity to swap homes with other Council or housing association tenants. Tenant details are placed on a national on-line register and they can access details of other tenants looking for an exchange.

Cornerstone currently pays an annual subscription to HomeSwapper in order to provide a free service to all Cornerstone tenants who are seeking an exchange. Application forms and further details are available at Cornerstone's office or on line from www.Homeswapper.co.uk

Home ownership options

Shared Ownership

Cornerstone have a small number of shared ownership properties. Vacancies are advertised through the Government backed Help to Buy South West (the official website for all Shared Ownership housing). Applicants can contact www.helptobuy.org.uk or ring 0300 100 0021 for a postal application form.

Management Moves

Cornerstone does not operate an internal property transfer service for its tenants, as all housing need should be met through DHC. However, in exceptional circumstances and under guidance of the DHC policy, we may consider moving an existing Cornerstone tenant permanently to another property. In addition to this, we may also consider a tenant request to move only once during property modernisation or in the case of a prolonged neighbour dispute where there is no legal or other remedy available.

Adding or removing a joint tenant to a tenancy.

Cornerstone may consider removing or adding a person to an existing tenancy at the request of the tenant. If a joint tenant wishes to leave and wants the tenancy to revert solely in the name of the other tenant, the circumstances of the remaining tenant and property occupancy levels would need to be taken into account before making a decision. Any tenant change would only be done by a Deed of Assignment and would need the agreement and signature of both parties concerned.

Where one party has left and cannot be contacted, the tenant making the request will be told they would need to seek legal advice with a view to obtaining a court order for an adjustment to the tenancy. In summary, Cornerstone would only agree to a joint to sole tenancy change by means of an assignment or court order.

In cases where a sole tenant wishes to add a person, an assignment would again be needed. Whilst married partners can be added immediately, other partners or persons would need to be resident at the property for a period of at least 12 months. Both would be subject to signing a questionnaire stating they are not home owners or a tenant of another social housing provider.

Warning

Any person knowingly giving false or misleading information on their application form will be declined housing by Cornerstone. Any tenancy awarded on the basis of such information (which comes to light at a later stage) may be liable to possession proceedings.

Appeal

Applicants or tenants may appeal if they feel that their application has not been dealt with fairly in line with our policy.

Initially, you may wish to have an informal discussion with the Housing Manager but if you are not satisfied with the outcome you may then have recourse to our formal complaints procedure. Further details about this can be obtained from a customer service advisor at the address below or alternatively from Cornerstone's website.

Contact details (for application forms or queries)

Cornerstone, Cornerstone House, Western Way, Exeter, EX1 1AL

Tel: (01392) 273462

Fax: (01392) 498003

E-mail: mail@Cornerstonehousing.net

Website: www.cornerstonehousing.net