

- 1.6 Once the Owners have transferred any interest in the Affordable Dwellings to the RP the Owners shall bear no liability for ensuring that this intention is achieved or that the RP complies with the following obligations.
- 1.7 The RP shall upon completion of the transfer of the Affordable Dwellings and at all times subsequently allocate each Affordable Dwelling to a person who is considered by the RP to be in need of such accommodation and who in the opinion of the RP is unable to afford other accommodation in the locality suitable to the needs of himself and his household and who:
- 1.7.1 has immediately prior to such allocation been resident within the parish of Chudleigh; or
 - 1.7.2 has a strong local connection with the parish of Chudleigh and in seeking to allocate the Affordable Dwellings under this paragraph 1.7 the RP shall (but without limiting its wider discretion in this regard consider;
 - 1.7.3 family associations of such person or persons in the parish of Chudleigh;
 - 1.7.4 any periods of ordinary residence of such person or persons in the parish of Chudleigh not immediately before the date upon which any Affordable Dwelling becomes vacant; and/or
 - 1.7.5 whether such person or persons has to have permanent employment in Chudleigh.
- 1.8 If the RP is unable to allocate any of the Affordable Dwellings in the manner referred to in paragraph 1.7 above within 20 Working Days then the RP shall allocate any such Affordable Dwelling by applying the procedures contained in paragraph 1.7 above but in lieu of the reference therein to the parish of Chudleigh there shall be substituted references to the surrounding parishes and/or towns.

1.9 If the RP is unable to allocate any of the Affordable Dwellings in the manner referred to in paragraphs 1.7 and 1.8 above within a further period of 20 Working Days then the RP shall subject to the provisions of paragraphs 1.10 and 1.11 below allocate any such Affordable Dwelling to a person or persons ("nominee") nominated by the Manager for Housing for the time being of the Council from the Council's list of persons of priority housing need within its administrative area provided that the RP shall have the right to reject such nominee if one of the following criteria is met:

1.9.1 the nominee has no housing need as defined within the criteria for preference within the Housing Act 1996 (as amended by the Homelessness Act 2002);

1.9.2 the nominee is not a suitable tenant as defined within the criteria of the RP's allocations and lettings policy; or

1.9.3 in the case of an Affordable Dwelling to be let on a shared ownership lease the nominee does not have sufficient cash or income to purchase the required equity share and the RP has the right (whilst acting reasonably at all times in respect of each nomination) to reject the nominee by giving notice to the Council and such notice shall state reasons for the rejection and the Council shall have the right to nominate an alternative person.

1.10 In the circumstances set out in paragraph 1.11 below the RP shall be released from the obligation under paragraph 1.9 above and shall be entitled to allocate any vacant Affordable Dwelling to any person who is considered by the RP to be in need of such accommodation and who is resident in the district of Teignbridge or has a strong local connection with the district of Teignbridge or failing that within the county of Devon.

1.11 The circumstances referred to in paragraph 1.10 above are the following: