



Lettings Policy Consultation Questionnaire

Housing Services

March 2008

SECTION 1

ABOUT YOU

We would appreciate it if you would take a couple of minutes to tell us a little about yourself. **THIS SECTION OF THE QUESTIONNAIRE IS ENTIRELY OPTIONAL.**

NAME (Optional)	
Are you a: tenant, member of the public, councilor, employee, stakeholder or partner	
If a partner or stakeholder what is your organisation	
Contact Details (Optional)	

ETHNIC ORIGIN

White

- British
- Irish
- Other White

Asian or Asian British

- Indian
- Pakistani
- Bangladeshi
- Other Asian

Chinese or Other Ethnic Group

- Chinese
- Other ethnic group

Mixed

- White and Black Caribbean
- White and Black African
- White and Asian
- Other Mixed
- Black Caribbean
- Black African
- Black British
- Other

Age

- 16 – 24 years
- 25 – 34 years
- 35 – 50 years
- Over 50

Gender

- Male
- Female
- Transgender
- Prefer not to say

Disability If you have a disability which category best describes your condition?

- Blind or partially sighted
- Wheelchair user
- Mental Health Disability
- Learning Disability
- Other mobility difficulties
- Deaf or hearing impairment
- Other disability (specify) _____

Faith

- | | | |
|--|--|---|
| <input type="checkbox"/> Buddhist | <input type="checkbox"/> Judaism | <input type="checkbox"/> Protestant |
| <input type="checkbox"/> Catholic | <input type="checkbox"/> Jehovah's Witness | <input type="checkbox"/> Quaker |
| <input type="checkbox"/> Church of England | <input type="checkbox"/> Muslim | <input type="checkbox"/> Sikh |
| <input type="checkbox"/> Hindu | <input type="checkbox"/> Mormon | <input type="checkbox"/> Other (please state below) |
| <input type="checkbox"/> Islam | <input type="checkbox"/> Other Christian | <input type="checkbox"/> |
-

Language

- | | | | |
|--|----------------------------------|------------------------------------|----------------------------------|
| <input type="checkbox"/> English | <input type="checkbox"/> French | <input type="checkbox"/> Tigrinian | <input type="checkbox"/> Amharic |
| <input type="checkbox"/> Farsi | <input type="checkbox"/> Kurdish | <input type="checkbox"/> Portugese | <input type="checkbox"/> Arabic |
| <input type="checkbox"/> Turkish | <input type="checkbox"/> Urdu | <input type="checkbox"/> Gujurati | <input type="checkbox"/> Punjabi |
| <input type="checkbox"/> Mandarin | <input type="checkbox"/> Hindu | <input type="checkbox"/> Bengali | <input type="checkbox"/> Other |
| <input type="checkbox"/> Prefer Not to Say | | | |

SECTION 2

IN THIS PART OF THE QUESTIONNAIRE WE ARE SEEKING YOUR VIEWS ON PROPOSED CHANGES TO THE LETTINGS POLICY.

EACH SECTION HAS AT THE BEGINNING SOME BACKGROUND INFORMATION PLEASE READ THIS FIRST BEFORE YOU ANSWER THE QUESTIONS IN EACH SECTION.

LOCAL HOUSING CONTEXT 2007

- **21,500 Council properties**
- **In 2004 there was a 12% turnover = 3,000 properties let in that year.**
- **In 2007 there was a 7.5% turnover = 1,600 properties let in that year, of which 250 were 3 bedroomed properties.**
- **On the housing register there are 9709 waiting for housing.**
- **50% of all 3 bedroomed properties have been sold.**
- **Housing supply is less due to:-**
 - **reduced house building**
 - **Right to Buy**
 - **Increased house prices.**
- **Demand is growing faster than supply**



Code of Guidance

The Government is due to issue a Code of Guidance to help Councils and Housing Associations to manage lettings the way the government think they should. If we break the Code of Guidance the Council may be taken to an appeals court or an ombudsman may demand that we compensate customers that approach them.

A draft Code of Guidance has been made available to Local Authorities and although it is not yet legal or final, the Council is not expecting that much will change in the final version.

The draft Code of Guidance says that Choice Based Lettings schemes should have at least 4 levels of priority. We currently have two.

The government have told us about groups of people that they require us to recognise.

We have identified some other groups that we think should have priority too.

Please look at the following and let us know what you think.

Currently we have 2 bands of priority in our choice based lettings scheme. These are:-

Band 1

- **Statutory homeless – as defined by current legislation**
- **Overcrowding**
 - **Statutory overcrowded – as defined by current legislation**
 - **Severe overcrowding**
- **Substantial disrepair**
- **Medical**
 - **Delayed transfers of care (bed blocking)**
 - **Critical medical**
 - **Substantial medical**
- **Severe harassment**
- **Children in Need**
- **Demolition**
- **Preventative Lettings**

Band 2

- **All customers**

We would like to change these. Please look at the proposed policy on the following page and let us know what you think.

Proposed Priority Definitions

Green = bands that have been identified by the Council as possible groups of people who's needs may need to be addressed.

Black = groups of people who have needs that have been identified by the Government as needing to be met by the lettings policy and allocations system.

Priority Level 1 A – Households who are “roofless” and have been placed in temporary accommodation

Priority Level 1 B – Multiple Additional Priority

- Households that fit into more than one of the Additional Preference Groups.

Priority Level 1 - Additional Priority

- Households accepted as statutory homeless.
- People with severe medical need
- People who have severe overcrowding
- People awaiting re-housing due to demolition or development

- **Single Gateway Clients**

Priority Level 2 - Cumulative Reasonable Priority

- Households that qualify for more than one category of “reasonable priority” (*This band could be joined with band 3 by becoming Band 2A and Band 2.*)

Priority Level 3 - Reasonable Priority

- People who are homeless through their own fault
- People who are homeless through no fault of their own but who we would not normally rehouse eg single people with no children
- Threatened with homelessness but are not homeless yet
- Households living in overcrowded conditions that do not meet the specification of Priority Level 1.
- Households with medical or welfare housing related requirements that do not meet the specification of Priority Level 1
- Households who need to live in a particular locality, where failure to do so would cause hardship (to themselves or others)
- **Households with children living in flats**

Priority Level 4 - Living In

- **Where a household is living in with another household but has no recognised housing need that would qualify them access to any of the first three Bands. I.e. they do not fulfil overcrowding criteria, medical needs etc.**

Priority Level 5 - General Needs

- **Where a household is living within their own home (rented or owner occupier) and they do not fulfil any of the criteria to access any of the first four levels of priority.**

Do you agree with the proposed bands?

Yes

No

Is there anything we have missed?

Would you move anything between the bands to give more or less priority?

Within Band 3 below how would you rank each category from 1 to 7 in order of priority, with 1 being the highest priority?

People who are homeless through their own fault	
People who are homeless through no fault of their own but who we would not normally rehouse eg single people with no children	
Threatened with homelessness but not homeless yet	
Households living in overcrowded conditions that do not meet the specification of Band 1.	
Households with medical or welfare housing related requirements that do not meet the specification of Band 1	
Households who need to live in a particular locality, where failure to do so would cause hardship (to themselves or others)	
Households with children living in flats	

Do you have any other comments?



How should properties be advertised?

Background Information:

There are currently 637 households within Band 1. These are people with very high housing needs.

People who have Council tenancies may use mutual exchanges to move. This facility is going to be improved to make it easier and more effective to use.

The average number of properties advertised each week by The Gateshead Housing Company is 40.

If people who are homeless cannot be rehoused, the Council has a legal duty to provide emergency accommodation. Sometimes this means using Bed and Breakfast, which is not suitable for people with families and also costs the Council a lot of money. The Council has government targets to meet to make sure that Bed and Breakfast is not used; so having to do this has an adverse effect on how the government regards the Council.

On the following page there are 3 options for how we could advertise properties

Ways we could advertise

Option 1

We could advertise properties with no preference to levels of priority. This would mean that each property (unless adapted for people with disabilities) would be advertised the same and people would be short-listed from the top band down to the last.

- This would mean that people with the highest need would get housing. The council would be more likely to meet its duty toward homeless people and people with severe medical needs or overcrowding etc.
- People with no recognised need would have reduced chances of being housed.

Option 2

A proportion of properties could be advertised to people in accordance to the length of time on the waiting list.

- This would mean that people who had waited for a property for a long time but had no recognised housing need would still have an opportunity to be rehoused.
- People with no great need could be housed before people with severe housing problems.

Option 3

Properties could be advertised to a proportion of each of the bands in turn.

E.g. 80% of properties could be advertised to Priority Level 1 with 16% advertised to Priority Level 2 and 3 collectively leaving 3% of properties to be advertised to Band 4 and 1% to Band 5. (% could be changed according to housing need and availability within Gateshead).

- Would ensure that each priority level had access to housing.
- Could be more difficult to understand and explain.
- The percentages would need to be constantly reviewed and changed, which could be difficult to manage.

WHICH OPTION DO YOU PREFER?

Option 1

Option 2

Option 3



Bidding for Homes

Background Information:

The current scheme restricts applicants to three bids per week. If this restriction was removed applicants could increase their chances of a successful bid. However, removing the restriction may result in applicants bidding for properties that they don't really want. This would create more work and may be wasteful.

Should the restriction of three bids per week be removed?

Yes

No

If Yes, how many bids per week do you think that applicants should have?



Suspension Policy

Background Information:

The current policy does not comply with government guidance.

People should only be suspended from the housing register if the Council has good reason to believe that the person is not capable of making a suitable tenant at the present time.

The government says that an applicant should only be excluded from the housing register if they fail an “unacceptable behaviour test”.

To fail the test a persons behaviour would need to be poor enough so that (if they were already a tenant) a judge would be likely to grant an outright possession order to the council to evict them from their home.

The current policy excludes people who owe £250 or more. It is very unlikely that an outright possession order would be granted for this level of arrears.

The law allows us to lower the priority of people whose standard of behaviour does not meet our expectations.

The following pages show a proposed policy of how we may suspend persons from the housing register for rent arrears, anti-social behaviour, property condition etc.

Why will my application be suspended?

Your application will be suspended if you or anyone in your household or with whom you have applied to be housed has acted in a way that would suggest that they would not make a suitable tenant at the time that the application is being considered.

The following factors will be considered as part of an “Unacceptable Behaviour Test” that will determine whether or not your application will be suspended:

- Owes rent arrears or any other housing related debt (see paragraph 3 below).
- If the condition of your home has not been maintained to a reasonable standard (see paragraph 5 below).
- Has engaged in criminal or anti-social behaviour including domestic violence. (see paragraph 4 below).
- Has deliberately or negligently caused damage to a previous or current property (the Council or RSL or private landlord would have been granted possession of this property had you still been a tenant).

Restrictions on rehousing people with rent arrears

Your application will be suspended if you or anyone in your household owes rent arrears that are high enough to lead (if you were a current tenant) to a judge granting outright possession to the landlord. This amount will be reviewed annually by officers of the council by analysing levels of arrears for outright possessions of the previous year.

We may make an exception to this rule if:

- You have been regularly reducing your arrears over a 13-week period (payments must be weekly/monthly and based at the current rate set by the Benefit Agency Direct Payment system).
- Your outstanding debt is over two years old and you have no arrears from tenancies held within the last two years, although you would still be expected to establish a repayment schedule for this debt.
- You are positively engaging with a recognised agency that provides emotional and practical support; and that agency agrees to continue to provide support if/when you are housed.

Restrictions on Rehousing the Perpetrators of Anti-Social Behaviour

Your application will be suspended if you or anyone in your household or with whom you have applied to be housed has been a perpetrator of Anti-Social behaviour, serious enough to lead (if you were a current tenant) to a judge granting an outright possession order to the landlord.

Decisions relating to suspensions will be considered in light of current court practice.

Behaviour considered will include where an applicant:

- Has been involved in conduct causing or likely to cause nuisance or annoyance to a person residing, visiting or otherwise engaging in unlawful activity in the locality, or connected with a Council tenancy, or housing management functions; or
- Has been guilty of causing damage to a Council, RSL or private landlord's home; or
- Has been convicted of using their home or allowing it to be used for immoral or illegal purposes; or
- Has been convicted of an offence which affects the well being of the neighbourhood in the locality of their present or previous home, or in the locality for which they are applying; or
- Has a conviction, which is not spent for a serious crime, and there could still be a significant risk to some members of a community in which they live.

Restrictions on Rehousing people who have not kept their Council, RSL or private landlord's property in a reasonable condition

Your Council, RSL or private landlord's home must be in a reasonable condition before we will offer you another property. If you have not kept your Council, RSL or private landlord's property in a reasonable condition we will suspend your registration and not offer you another property, unless this is due to circumstances beyond your control.

We will write to you explaining:

- That your application has been suspended and why.
- Any steps you can take that might lead the Council to reconsider its decision in the future.
- That you have the right of review of this decision under Section 12.

How long will my suspension last?

The length of time you are suspended will depend upon the reason for suspension.

If your suspension is for anti-social behaviour it will be for two years.

If your suspension is for rent arrears you will be advised in writing of corrective action and timescales involved.

If your suspension is due to condition of property the length of time you will be suspended will depend upon the property being returned to a reasonable condition or any outstanding debt being reduced in line with the same terms outlined in Section 9 paragraph 3 for arrears.

Notification and review procedure

We will write to you to within one week to inform you of a decision to suspend or defer an application. The letter will explain:

- Why you have been suspended and how the decision was reached (How the Unacceptable Behaviour Test was applied).
- What you need to do to have the exclusions lifted.
- How to access support from appropriate agencies to assist you to create a realistic route back into social housing.
- How to appeal against this decision by requesting a review.
- That whether or not you appeal against the decision now, you may apply for your case to be reviewed after 6 months.
- Where to gain independent advice.

ALTERNATIVE OPTIONS

Please look at the table below and let us know what you think.

	Rent Arrears	Anti-Social Behaviour	Condition of Property
Group 1	£250	Court Order	Court Order
Group 2	Low level legal action	Low level legal action	Low level legal action

Do you think that the people in Group 2 should be shortlisted with lower priority than people with no action against them?

Yes No

Do you think that people in Group 1 should be shortlisted with lower priority than the people in Group 2 and after the people with no action against them?

Yes No

Do you have a different proposal from the above?



Under Occupation

Background Information:

There are a lot of people currently waiting for family homes who will have to wait a long time.

There are many people who live in family homes but no longer need them and may wish to move to a smaller home or into a different type of home eg a bungalow.

For example a single person living in a three bedroomed house will move if given a 2 bedroomed bungalow. However, there are lots of people with medical problems waiting for this type of property.

The Council therefore faces a difficult decision regarding who should have priority.

Given that there is a high demand for both family homes and 2 bedroom bungalows do you think:-

Someone who is prepared to give up a family home should receive additional priority?

Yes

No

That this should only apply when the property they occupy is in demand?

Yes

No

We should give them a property that is still too big for them if they are giving us back a family home?

Yes

No

Do you have any other views or ideas?



Demolition and Under Occupation

Background Information:

The Council rehouses Council tenants when their homes are going to be demolished.

Some people live in family sized properties that are bigger than they need.

There is a shortage of family council homes.

Bearing in mind the shortage of family houses. When a property is to be demolished what is the largest property that you feel should be given to the following:-

(Please Tick)

Couple no children	2 bed flat/ maisonette	<input type="checkbox"/>	2 bed house	<input type="checkbox"/>
Single Person	2 bed flat/ maisonette	<input type="checkbox"/>	2 bed house	<input type="checkbox"/>
Family requiring 2 bedrooms	2 bed house	<input type="checkbox"/>	3 bed house	<input type="checkbox"/>
Couple with overnight access to children	2 bed flat/ maisonette	<input type="checkbox"/>	2 bed house	<input type="checkbox"/>
Single person with overnight access to children	2 bed flat/ maisonetter	<input type="checkbox"/>	2 bed house	<input type="checkbox"/>

OR

Do you have any other views?



Owner Occupiers Accessing Council Housing

Background Information:

There are no restrictions within the current policy to stop owner-occupiers from getting a Council home.

In the past there was an “equity limit” of £30,000. This means that if you could sell your home and make £30,000 (once any outstanding loans and mortgages were paid) you would not be allowed to get a council home.

This was because you could be reasonably expected to buy another house with this money. If an equity level was introduced today it would really need to be in excess of £100,000 as you would need this amount to buy a modest home.

Most people who own a house but request a Council house, are senior citizens or people who cannot manage a house any more.

Do you think that people who own their own home should be able to apply for council housing?

Yes

No

If NO, what do you think the Council should do to help owners who can no longer manage their homes but cannot afford to buy a bungalow?

If YES, do you think that an “equity limit” should be put in place?..... and how much should that be?

In the past some lettings policies state that your property must be on the market or sold before being able to apply for Council housing. This has resulted in people being made homeless before they could be rehoused. What are your thoughts on how to prevent this?



Registration Checks

Before applicants are accepted on the housing register they are asked to provide the following information:-

- Housing history for the last five years
- Housing history of any adult who wants to move with them
- A form of identification for all adults who want to move
- Landlord references for everyone in the household who has held a tenancy
- A signed consent form from every adult who wants to move
- Police vetting on anyone who has told us that they have a criminal conviction.

These checks can make the application process lengthy. However, the above information is important as it gathers information on potential new tenants.

The Police vetting criteria cannot be changed as this has been agreed through the Community Safety Partnership but we would like your views on any changes that you may like to suggest relating to the current registration checks;

Do you think that we should continue with the current checks?

Yes No

Do you think there are further checks that we should be doing?

Yes No

If Yes, what would these be?



Homeless Award Period

Most policies and Choice Based Lettings systems (like our own) award priority to people for a set period of time (12 weeks) and then each case is reviewed to make sure that the applicants are bidding correctly. The type of things that are looked into are things like whether the people are bidding for the correct size and type of property or that they are not restricting bidding as they are waiting for the most desirable areas.

Some housing organisations remove the homeless priority award once a bidder has been offered a property that they applied for. This is because the council is only obliged (by law) to make one reasonable offer of property to homeless applicants.

Recent research has concluded that removing the status before the end of the award period (12 weeks) may be viewed as discrimination against homeless people. This is because people who are overcrowded or have medical problems do not have their status removed. Therefore homeless people would be treated less favourably.

Homeless people in Gateshead are allowed to continue bidding for the whole 12-week period. If they are offered a property during this time they are advised that they will not be offered an extension of their priority band one status after the 12 weeks are up. They then have to make a decision.

One of the reasons why homeless people are permitted to do this is because if their homeless priority status was removed once they made a successful bid, they may not bid for many properties. The current system enables them to bid for properties that may or may not meet their requirements without fear of having their priority removed.

Homeless people are allowed by law to appeal against Council decisions regarding how reasonable a property is to meet their needs. If choice is taken away from homeless people there is likely to be an increase in appeals, which is costly, time consuming and can be stressful.

Do you think that choice should be removed once any offer is made?

Yes No

Why?

Do you have any other ideas that you would like to be considered?

ANY OTHER COMMENTS

ANY OTHER COMMENTS

Thank you for taking the time to complete this questionnaire. Your views are important to us.

Please return completed questionnaires in the box provided in Housing Services at the Civic Centre or alternatively send to:-

**Fiona Wilder
Housing Services
Community Based Services
Gateshead Council
Civic Centre
Regent Street
Gateshead
NE8 1HH**