



City of London

Draft Housing Allocation Policy and Scheme  
2012

Version 1  
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## 1. Introduction

As a Local Authority landlord we must by law have in place a policy that sets out how we allocate people into our own properties for rent, and to those properties where we have nomination rights (for example housing associations within our Borough). This is to make sure our publicly subsidised housing is used in the most appropriate way.

We keep a '**housing register**' of all the people who have successfully applied for housing with us. This policy sets out who we will, and will not, accept onto our housing register and what priority those accepted will be given. We regularly review the housing register to ensure only those who remain in housing need are kept on it and will take legal action against those found to be making a fraudulent application.<sup>1</sup>

This policy was agreed by the City of London's elected Housing Sub-Committee on xx 2012 and sets out who we will accept onto our housing register, how to apply to get on our housing register, what happens when the decision has been made, how to bid for our available properties, and how to appeal against a decision if it has not found in your favour. We reviewed our previous policy and have made changes to reflect some major current factors as well as changes to the law that affect the allocation of social housing.

We have set some clear **aims** that we want to achieve through this policy and we have been open about who we will no longer allocate housing to and the reasons why. We will review this policy in three years' time where these changes may be reversed if demand for our housing has eased.

We have carried out an Equalities Impact Assessment and have concluded that our revised policy does not have any major negative or positive impact upon any on groups as defined in, and protected by, the Equalities Act (2010). (This statement may change if the public consultation results deem that there is an impact).

Whilst we have tried to be clear and fair in our new policy, it must be acknowledged that no allocations policy or scheme can cover for every eventuality. Therefore we reserve the right to deviate from the process laid down in this policy where exceptional circumstances mean someone requires more help than they may otherwise be entitled to. In addition, we reserve the right to review our policy earlier than three years if a change in national policy/law affecting the allocation of social housing comes into effect.

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<sup>1</sup> In accordance with S.171 of the Housing Act 1996 anyone found guilty of attempting to obtain accommodation by deliberately giving false information or withholding information pertinent to their application is liable to be prosecuted and fined up to £5000. We will use all available means to prosecute anyone suspected of such an offence.

## **2. The aims of our allocations policy**

Through this policy we aim to:

### **1. Achieve a balance between the housing needs of existing City of London tenants and those applying to be new tenants.**

Why this is important: Previously, our existing tenants who wanted to transfer to another one of our properties often received more priority than people on our housing register who may have been in greater housing need. Whilst we still allow transfers, we will now take into account housing need when assessing transfer requests. At this time of incredibly high housing need, we must look to ensure those in great housing need are able to access our properties too.

### **2. Make the best use of our housing stock in this time of extremely high demand for social housing.**

Why this is important: there is currently a huge shortage of social housing and extremely high levels of people in housing need. Whilst in an ideal world we would be able to offer housing to everyone, in these times, we must ensure those who most need it, overall, receive priority. At this time of significant changes to the welfare system, we must also ensure people are able to down-size their properties (move to a smaller property), and are not offered accommodation that they will not be able to afford.

### **3. Be clear about who we will allocate to, the processes to follow, and the advice we give on alternative housing options.**

Why this is important: allocating social housing is an important role for Local Authorities and we must ensure all applicants (potential and existing tenants) are clear about the process, what they have to do, and how we will make our decisions.

### **4. Efficiently let our properties to reduce the amount of time properties are empty.**

Why this is important: at this time of tight public finances, we must ensure that our allocations and lettings processes work as seamlessly as possible so that after a tenant has given us notice we then allocate that property before it becomes empty so a new tenant can move in as soon as it becomes empty.

### **5. Help achieve our wider strategic aims as contained within our Business Plan, notably; providing safe, stable and vibrant communities.**

Why this is important: who we allocate into our properties has an impact upon our estates, therefore whilst we make decisions based on housing need, we also take into account overall the impact on our estates to ensure we maintain estates that are desirable places to live.

### 3. Who is eligible for social housing

Anyone who is 16 years of age and over<sup>2</sup> and does not fall into one or more of the groups below is eligible for social housing. However, being eligible does not guarantee an offer of accommodation and the next section sets out how we make decisions between eligible people who apply for housing from us.

#### Who is not eligible to be included on our Housing Register

A. Anyone found guilty of behaviour serious enough to make them unsuitable to be the tenants of a Council or Housing Association at the time of their application.

Unacceptable behaviour is considered to be behaviour which, if the person concerned were a secure council tenant would entitle us to seek a possession order under one or more of the grounds in Schedule 2 of the Housing Act 1985.

This would include:

- Failure to pay rent
- Breaching conditions of the tenancy agreement
- Causing nuisance to neighbours
- Being convicted of using their homes for immoral or illegal purposes
- Being convicted of an arrestable offence committed in, or in the vicinity of their home
- Causing the condition of the property to deteriorate by a deliberate act, or by neglect
- Making a false statement to obtain a tenancy

B. Anyone who is subject to immigration control within the meaning of the Asylum and Immigration Act 1996 (unless the Secretary of State has stated that they should be eligible for housing).

C. Anyone who owns a property in the UK or abroad.

We have also introduced the following two categories of people who we will not accept onto our housing register. This is reflective of the current acute shortage of social housing and high levels of people in housing need. We believe that people in these two groups would be able to access property in the private sector.

D. Anyone who has an annual income of £60,000 or more before tax (for the whole household).

E. Anyone who has savings or capital of £30,000 or more (for the whole household).

**Please note:** We are checking with Legal if we can also exclude: people previously evicted from a social housing tenancy, people who exercised the RTB, sold it, then want to be a tenant again, people who have a history of abusing staff. Further details will be given at the meeting.

<sup>2</sup> Anyone accepted onto our Housing Register who is aged 16 or 17 will only be accepted if they have a rent guarantor AND...any other conditions we'd impose, e.g., living in supported housing until 18 – this needs to be agreed and further information will be given at Housing Sub-Committee.

## 4. Who we will accept onto our Housing Register and how decisions are made and priority awarded

### To be included on the Housing Register you:

- Should currently live in the City of London<sup>3</sup> **and** have done so for a minimum of 12 months **or** have been employed in the City of London for a minimum of 12 months (including working for the City of London Corporation but located outside the City) **or** be a child of a City of London tenant who has always lived at home, **and**
- Should fall into one or more of the ‘reasonable preference’ and/or ‘qualifying’ groups (as set out in tables 1 and 2 below).

Unfortunately, we are unable to accept other people onto our Housing Register due to the high level of housing need and demand for our housing. (That said, we reserve the right to offer an allocation of property where there may be exceptional circumstances, as assessed on an individual basis). Our policy will be reviewed in three years’ time<sup>4</sup> (2015) where this may change if demand for our housing has eased.

### What are ‘Reasonable Preference’ groups?

The law sets out groups of people to whom we must give ‘reasonable preference’ to when allocating our housing. This means that they must be given overall priority within our allocation scheme. This doesn’t mean they they have to take priority all of the time. **Table 1** lists the reasonable preference groups and what priority they will be given.

### What are ‘Qualifying’ groups?

In addition to the above groups, we are also allowed by law to specify other groups of people we will accept onto our list as relevant to our local circumstances. We have introduced two qualifying groups as set out in **table 2** below. We will accept people onto our housing register if they fall into one of the qualifying groups even if they do not fall into one of the reasonable preference groups, this is because these groups are important to the City of London.

### What are the different levels of priority?

- If you are included on the housing register you will be placed in one of four Bands.
- Your position within a Band is based on waiting time.
- This begins from the date that you were awarded that Band.

We believe that a banding system is the simplest and most transparent way of managing the Housing Register. We have abolished the previous points system.

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<sup>3</sup> The City of London’s Local Authority area is often referred to as the ‘square mile’. Please see Appendix 1 for the map of the ‘square mile’ so you can see if you live/work within it.

<sup>4</sup> Or sooner, if there is a major change of Government policy affecting housing allocations.

You will be placed in one of the following Bands:

**Band 1** = Those with a high housing need

**Band 2** = Those with a medium housing need

**Band 3** = Those with a low housing need (we expect this to be a small number of applicants only)

**Emergency Band** = This is a restricted band for those with a critical/immediate need to move and is awarded at a Manager’s discretion.

**Who is priority awarded to?**

As the availability of social housing is very limited, only eligible people assessed as having a priority in accordance with the Reasonable Preference and/or Qualifying categories will be included on our Housing Register.

This is so we only include people on the Housing Register who we believe stand a reasonable chance of securing a move into social housing.

We will also use ‘**additional preference**’ criteria to decide if some applicants need a higher band, these are set out in table 1 below.

**The following tables set out who we will accept onto our housing register and what priority they will receive:**

**Table 1: ‘Reasonable Preference’ categories:**

Reasonable Preference Group	Band	Additional Preference criteria	Higher Band	Explanatory Information
1. Homeless households	We will assess all applications according to the ‘additional preference’ criteria...	People who are assessed as unintentionally homeless and in priority need.	1	Homelessness is assessed according to the meaning of Part 7 of the 1996 Housing Act, which includes those unintentionally homeless or in priority need.  All accepted applicants must have a connection to the City of London.
		People who are assessed as intentionally homeless and in priority need.	2	
		People living in City allocated temporary accommodation (TA) for over 6 months.	1	

Reasonable Preference Group	Band	Additional Preference criteria	Higher Band	Explanatory Information
2. People who are owed a homelessness duty by any housing authority	1	People who face a critical / immediate need to move.	Emergency band	People who may be accepted under this category do not have a City connection and may include young people leaving care, people fleeing domestic or gang violence, unaccompanied minors, etc.
Reasonable Preference Group	Band	Additional Preference criteria	Higher Band	Explanatory Information
3. People living in unsatisfactory housing conditions, including overcrowded or insanitary conditions.	We will assess all applications according to the 'additional preference' criteria...	People occupying extreme insanitary or unsatisfactory housing conditions.	Emergency Band	We will always carry out an assessment in these cases. This will be carried out by the City's Environmental Services Team if the applicant lives within the City, or by the London Borough where the applicant currently lives. Only in exceptional cases, where a prohibition notice is required, will an applicant be placed in the Emergency Band.
		People occupying accommodation that is overcrowded by two or more bedrooms.	1	How we assess overcrowding is explained on page 12.
		People occupying accommodation that is overcrowded by one bedroom.	2	Consideration will be given to each case individually.





**Table 2: Qualifying categories**

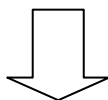
People can be accepted onto our list if they fall into one of these groups *even if they do not fall into one of the reasonable preference groups*. If an applicant meets one of these groups but is assessed as having a housing need according to the Reasonable Preference categories in table 1, then they will be awarded this band which may be higher.

Qualifying Groups	Band	Explanatory Notes
<p><b>1. Existing City of London tenants who are under-occupying.</b>            (Tenants who wish to transfer to another City of London property and who are ‘down-sizing’ by 2 or more bedrooms (or by 1 bedroom if they are giving up a 2 bed property)).</p>	<p><b>1</b></p>	<p>We will continue to offer financial incentives for existing tenants to down size their property if they no longer need all of their bedrooms because we have a shortage of larger family homes for rent.</p> <p>We have made this a higher priority now because many tenants may be forced to downsize with the impact of welfare reform.</p>
<p><b>2. Low-paid City workers*</b>            (People who have worked for a minimum of 12 months in a job(s) within the ‘square mile’ whose total household income is less than £26,000 per year).</p>	<p><b>2</b></p>	<p>*This only applies to new applicants.</p> <p>The City has history of providing affordable housing to people who work in lower paid jobs within its Local Authority area (the ‘square mile’).</p> <p>All of the City’s estates are within easy access to the ‘square mile’ and so we will allocate to any of our housing estates, not just those within the square mile itself.            £26,000 is the average London wage and is also the new total household benefit cap.</p>
<p><b>3. Sons and Daughters of City of London tenants</b>            (Sons and daughters who have always lived with their parent(s) who are a secure tenant(s) of the City of London).</p>	<p><b>2 or 3</b></p>	
<p><b>4. Ex-armed forces personnel</b></p>	<p><b>2 or 3</b></p>	

## 5. How we assess applications – step by step

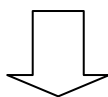
### Step 1: Submitting your application form

- People wishing to apply for the City of London’s council housing must fill out and return the application form that can be found on our website at: [www.cityoflondon.gov.uk/housingapplications](http://www.cityoflondon.gov.uk/housingapplications)



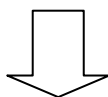
### Step 2: Assessing a ‘Reasonable Preference’ criteria

- Once we receive your application we will assess it to determine which, if any, reasonable preference categories you fall into.
- Where you fall into one category, we will award this band, where you fall into more than one with different bands, we will award the higher band.
- If you do not fall into any of the reasonable preference categories, we will then assess your application as per step 3 below.



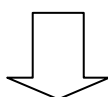
### Step 3: Assessing a ‘Qualifying Group’

- We will assess all applications (whether they fall into a reasonable preference criteria or not) to see if your application meets one of our qualifying groups.
- If it does then you will be awarded the relevant band, unless you have a reasonable preference that has a higher band, in which case you will still receive the higher band.



### Step 4: Telling you our decision

- Once we have made a decision we will tell you in writing what it is, within 30 days of receiving your application form.
- If you have been accepted onto our Housing Register then you will receive information about how to bid for available properties.
- If you have not been accepted we will provide you with advice on other housing options you may wish to pursue.



### Step 5: Appealing against our decision

- You have the right to appeal against our decision if you do not agree with it.
- You should do this in writing and we will respond in writing within 10 days<sup>5</sup>

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<sup>5</sup> Please see Appendix 1 at the end of this Policy for more details on how to do this.

## 6. Frequently asked questions about our allocations process:

### What if you have more than one housing need?

If you have more than one priority in the Reasonable and / or Qualifying groups, you will not be awarded a cumulative priority. Your application will be placed into the highest band as assessed in the Allocation Scheme, for example:

- Someone with a Band 2 and Band 3 priority would be placed into Band 2
- Someone with multiple Band 2 priorities would remain in Band 2

### How do we assess the size of property you require?

If you have more bedrooms available than your household needs, you are under-occupying the property.

If you have fewer bedrooms available than your household needs, you are overcrowded.

We allow one bedroom for each of the following:

- a person living together with another as husband and wife or partner (whether that other person is of the same or opposite gender)
- a person aged 18 years or more
- two persons of the same gender aged 10 years to 18 years
- two persons (whether of the same gender or not) aged less than 10 years
- two persons of the same gender, where one person is aged between 10 years and 18 years and the other is aged less than 10 years.
- any person aged under 18 years in any case where he or she cannot be paired with another

(Each person is only counted once in the first group they would come into).

- Single people are entitled to a studio (bedsit).
- Pregnant single women are entitled to a studio (bedsit) and can apply for a 1 bedroom property after the birth of their child.

### Allocations made outside of this process

Not every allocation of a property we make will be based on the process set out in this policy, for different reasons, some of the main ones are set out below:

**‘Sheltered’ Accommodation:** applicants wishing to live in one of our sheltered schemes (for people aged 60 years and above) will be asked to complete a separate application form which uses different criteria to the one used for our other housing (known as ‘general needs’ housing). Applicants who apply for housing using the standard application form, and who are aged over 60, may be invited to apply for our sheltered housing if it looks like they will not receive much priority for our general needs housing.

**People occupying extreme insanitary or unsatisfactory housing conditions;** subject to an assessment of this, may be placed in the emergency band and will receive a direct offer of accommodation and do not have to apply for properties through the Choice Based lettings scheme.

**People who face a critical / immediate need to move:** such as those fleeing domestic violence, harassment, young people leaving care, may be placed in the Emergency band and will receive a direct offer of accommodation and do not have to apply for properties through the Choice Based lettings scheme.

### How long it takes to be housed

There is no set amount of time it takes for a property to be allocated to you. The higher bands will usually get housed quicker than the lower priority bands but this only a rough guide.

The length of time you have been on the Housing Register is a factor we take into account when making decisions.

For example, if two applicants equally qualify for an available property, it will normally be offered to the applicant who has been on the Housing Register the longest. Your length of time on the Housing Register starts from when you are accepted onto the register.

Bidding for a range of properties in a range of our areas will increase your chances of being allocated a home (see next section on how to apply for available properties).

## **7. Changes in your circumstances and reviewing our Housing Register**

**It is your responsibility to advise us of any changes in your circumstances. This includes a change of address or if someone leaves or joins your household.**

Failure to notify us of a change in your circumstances might mean that you miss out on an offer of accommodation or could result in the cancellation of your Housing Register application. If you intentionally withhold information in order to attempt to secure accommodation you may be prosecuted and fined up to £5000.

Once you notify us of a change in your circumstances you will be asked to complete a complete a 'Change of Circumstances' form, and your application will be suspended until this is returned with proof of new circumstances.

If the change in your circumstances means that you no longer have a priority in accordance with the Reasonable Preference or Qualifying categories your application will be cancelled.

If the change in your circumstances causes either:

- a change in your Banding priority ; or
- a change in the number of bedrooms you require (even if your Band remains the same)

then your waiting time will begin again, unless your banding remains the same.

Every year we will conduct a census of all households on the Housing Register. This will be sent to the address we have for you. It is vital that you inform us of any change in your circumstances as if there is no response to the census your application will be suspended or cancelled.

### **Reviewing your application**

We review the details of households included on the Housing Register. We do this to ensure that you are bidding for properties and are not turning down accommodation as well as to ensure that the information that we hold is up to date and accurate.

From time to time we may contact you. For example we may:

- Request additional information.
- Enquire whether you want to remain on the Housing Register.
- Give you a deadline to place a successful bid and accept an offer of accommodation (e.g. if you have been placed in temporary accommodation by the City of London).

**You must ensure that you respond to us within any deadlines that we give. If you do not respond to us your application may be suspended or cancelled or we might make you a final offer of accommodation in discharge of our duty to you (where applicable).**

## **8. Bidding for available properties through our Choice Based Lettings scheme**

Once you are accepted onto our Housing Register we will give you written information about how you can apply for our available properties.

### **Advertising Properties:**

A user guide to Choice Based lettings will be sent to you once you have been accepted onto the City of London's Housing Register.

Properties are advertised weekly on the City Home Connections website [www.cityoflondon.gov.uk/choice](http://www.cityoflondon.gov.uk/choice)

Each bidding cycle begins at midnight on a Wednesday and closes the following Monday midnight.

Only those who are included on the Housing Register will be able to express an interest by "bidding" on properties that are advertised.

You can place up to 2 bids each week on properties for which you meet the criteria.

During the bidding cycle you can withdraw or swap the bids you have made.

Once the bidding cycle closes you cannot withdraw, change or add to the bids you have made.

Properties may be advertised with "preference to" criteria specified. In these instances, bids from applicants who do not meet the preference criteria may be bypassed. For example, if an adapted property is advertised with preference to those who require that level of adaption, bids from able bodied applicants may be bypassed.

### **Bidding:**

If you place a successful bid you will be contacted by a City of London officer. You will be required to provide information confirming your circumstances before you are formally offered a property. If you fail to provide the required information you will not be offered the property and your circumstances will be reviewed.

If your bid is not successful you will not be contacted.

If your bid is bypassed you will be able to view the reason for this by logging into your Home Connections account.

**Please note that your bid will be bypassed if you have rent arrears, or may not be accepted if your existing property is in a poor condition where works would be needed in order to relet it.**

**Accepting a Property:**

If your bid is successful you will be invited to view the property and will have to accept or reject the offer at the viewing stage. Usually you will not be granted extra time within which to make a decision.

If you accept a property your details will be removed from the Housing Register and you will not be able to make any further bids.

**Turning Down a Property:**

If you turn down 2 properties that would reasonably meet your housing needs, you will have your application reviewed and the following may apply:

- Your Housing Register application may be suspended.
- Your Housing Register application may be cancelled.
- You may be made a direct offer.

**Publishing Results**

Details regarding successful bidders will be advertised on the “**this week’s lettings and results**” section of the City Home Connections website. The published information will show the band, and the date that it was awarded, of the successful bidder.



## Appendix 1

### **What happens if you don't agree with a decision we have made?**

You are able to request a review of the following:

- The assessment of your application.
- The priority you have been awarded.
- The cancellation of your application.
- The decision to reduce your priority.
- The suitability of any property offered to you.

Please ensure that you title your correspondence Review Request.

The review will be undertaken by a manager who was not involved in making the original decision. The request for a review must be made in writing within 10 working days of you receiving notification of the decision. Your case will be reviewed and you will be informed of any decision within one month of the receipt of your request for a review

#### **How to contact us:**

By email: [housing.advice@cityoflondon.gov.uk](mailto:housing.advice@cityoflondon.gov.uk)

By post to:

The Housing Allocations Team  
Barbican Estate Office  
3 Lauderdale Place  
London  
EC2Y 8EN

## Appendix 2

**The City of London's local authority area (all applicants must either live within this area or work within it)**

**Map to be inserted**