

Lewisham Housing Allocations Scheme

29th October 2012

**ADDRESS DETAILS
LOCAL HOUSING OFFICES**

Lewisham Homes (North)

Pepys Office

1a Eddystone Tower, Oxestalls Road,
London SE8 3QU
Tel: 0800 028 2028
Open: Monday–Friday 9am–5pm and
Wednesdays 10am–5pm

Lewisham Homes (South)

Holbeach House, 9 Holbeach Road SE6 4TW
Tel: 0800 028 2028
Open: Monday–Friday 9am–5pm and
Wednesdays 10am–5pm

Lewisham Homes: Home Park

129 Winchfield Road, Sydenham,
London SE26 5TH
Tel: 0800 028 2028
Open: Monday–Friday 9am–4.30pm and
Wednesdays 10am–1pm

Lewisham Homes (North)

Honor Oak Office

29 Spalding House, Turnham Road, Brockley,
London SE4 2HT
Tel: 0800 028 2028
Open: Monday–Friday 9am–4.30pm and
Wednesdays 10am–1pm

Regenta B3 (Pinnacle Housing)

6 Mantle Road, Brockley SE4 2EX
Tel: 020 7635 1200
Open: Monday–Friday 9am–5pm

Housing Options Centre

1a Eros House
Brownhill Road SE6 2EG
Tel: 020 8314 7007
Letting & Support Services Unit
Tel: 020 8314 6455
RegenRDU@lewisham.gov.uk
Open: Mon, Tues, Thurs, Fri 9am–3.30pm, Wednesday 12.30p–3.30pm
(this is also the address for applicants who live
outside the borough)

Single Homeless Intervention and Prevention service (SHIP)

38-39 Winslade Way

Catford, SE6

Tel: 020 8314 3020

(single homeless applicants)

Open: Mon, Tues, Thurs, Fri 9.30am–3.30pm, Wednesday 12.30-3.30pm

Contents

1. Introduction

- 1.1 Introduction to Lewisham's allocations scheme
- 1.2 Your options
- 1.3 What properties are excluded from this policy?
- 1.4 Equality and diversity
- 1.5 Who can you contact for advice or to make a complaint?
- 1.6 What to do if you disagree with our decisions

2. The Lettings Policy

- 2.1 **Who can join the housing list?**
 - 2.1.1 Ineligible because of immigration status
 - 2.1.2 Unacceptable behaviour

- 2.2 **Disqualification from the housing list**
 - 2.2.1 If you have significant financial resources
 - 2.2.2 If you do not have a local connection
 - 2.2.3 Refusal of an offer
 - 2.2.4 Suspension for significant rent arrears
 - 2.2.5 No priority
 - 2.2.6 Reinstatement in exceptional cases

- 2.3 **What happens if you are not eligible or disqualified from the housing list?**

- 2.4 **Who can you include in your application?**

- 2.5 **Priority Bands**
 - 2.5.1 Band 1: Emergency Priority
 - 2.5.2 Band 2: High Priority
 - 2.5.3 Band 3: Priority

- 2.6 **Summary of Bands**

3. How the policy is applied

- 3.1 **Applying to the housing list**
 - 3.1.1 How can you apply to join the housing list?
 - 3.1.2 Telling the truth
 - 3.1.3 Use of information you supply
 - 3.1.4 Processing your application
 - 3.1.5 Keeping your application up to date
 - 3.1.6 Medical assessments
 - 3.1.7 The Emergency Housing Panel
 - 3.1.8 How to bid
 - 3.1.9 Clients matched to properties

3.2 How do we decide which band your application should go into?

3.3 How do we decide which application takes priority?

3.3.1 Property size

3.3.2 Band order

3.3.3 Prioritising applications within a Band

3.4 Homes that may be offered first to specific groups

3.4.1 Specialist accommodation

3.4.2 Allocation of houses

3.4.3 Local Lettings Plans

3.4.4 Annual Letting Plans

3.4.5 Details of direct lets

3.4.6 Chain Lettings

4. Other Housing Options

5. Reviewing the policy

1. Introduction

1.1 Introduction to Lewisham's Lettings Scheme

In Lewisham, there are many more people who need or who want to move, than there are homes available for them to move to. There are not enough rented homes owned by the Council and by partners (Housing Associations and Tenant Management Organisations) to offer housing to all who want it, or even to everyone who needs a home. To illustrate the size of the problems we face, the number of households on the Housing List has increased to nearly 17,800, whilst the number of properties available to let has reduced to around 1,600 per year. There is a particularly severe shortage of family-sized properties.

Our Lettings Policy is a way to distribute a small number of homes as fairly as possible, while using the resources available to us as efficiently as possible, retaining flexibility to respond to fluctuations in demand from different client groups, preventing homelessness and offering choice to applicants where we can. Everyone on the housing list has a reason for wanting to move, but in general we can only offer homes to those in the greatest need. This policy sets out our criteria for deciding who should have priority for available housing. We must comply with the law, which says that we must give "reasonable preference" to certain groups of people. We have had to make some tough choices in order to balance our objectives of fair allocation, efficiency, flexibility, preventing homelessness and choice and we appreciate that not everyone will agree with the decisions that we have made. It is not always easy to appreciate why someone else should be given priority over you and your family. However, in drawing up this policy we have used our knowledge and experience of allocating housing to many thousands of households across Lewisham.

There are particular legal and practical difficulties letting accommodation to 16 and 17 year olds, which have led us to decide not to allocate permanent housing to persons under 18 years of age. We are of the view that these difficulties, and the potential problems and costs which they give rise to, outweigh any reasonable preference a 16 or 17 year old may have for an allocation of accommodation – up until his or her 18th birthday.

We operate a Choice Based Lettings Scheme called Lewisham HomeSearch. This document explains how the scheme works. Choice Based Lettings means that applicants can express an interest in the homes they wish to be considered for. However, in reality, the shortage of housing is so severe that any applicants who are restrictive about their choices may not be able to find housing. In some circumstances we will directly allocate properties to those groups we consider to be in most urgent need, who have not been able to find a property of their choice within a given timescale. This is explained further below.

Lewisham Council and our Housing Association partners have agreed to offer all our available homes to people registered on the scheme. We will also use this policy to let privately rented homes where landlords choose to work with us, and other Housing Association properties over which we acquire nomination rights. If you have indicated on your application form that you are interested in Housing Association properties, you may also receive an offer from a Housing Association who is not in partnership with us, but with whom we have nomination rights.

If you are allocated a tenancy or nominated for a Housing Association tenancy, to begin with this is likely to be a probationary or introductory tenancy (sometimes also called a “starter tenancy”). Unless steps are taken to end it within the probationary period, usually a year, this will be converted into a full secure or assured tenancy after the probationary period.

Under the Localism Act 2011, local housing authorities and Housing Associations are able to grant fixed term tenancies called “flexible tenancies” instead of the traditional “lifetime tenancies”. Lewisham’s aim is to retain full security of tenure until the effects of current welfare benefit changes and other changes in housing conditions are known. If flexible tenancies are allocated, Lewisham’s aim is that these should be for a minimum of 5 years, and that lifetime tenancies would continue to be granted to the over 65s and people with serious permanent physical or mental vulnerabilities. Where a fixed term tenancy is given to a family with children we would aim to see the length of tenancy match the 21st birthday of the youngest child. The Council’s aims in relation to tenure will be published in its Tenancy Strategy and are subject to review from time to time.

This allocations scheme has been written to comply with the provisions of the Housing Act 1996 as amended by the Homelessness Act 2002 and the Localism Act 2011. It also takes into account the Code of Guidance on Allocations 2012. It has been drafted in line with the council’s homelessness strategy, Tenancy Strategy, the London Housing strategy and in accordance with the council’s equalities duties.

1.2 Your options

You are strongly recommended to consider all possible options for your future housing. Even if you are awarded a high priority under this Lettings Scheme, other options may still meet your needs more quickly. Our Housing Advisors will discuss this with you.

Your options may include:

- **Privately rented housing:** You can contact local lettings agents and use the local newspaper papers to find privately rented properties.
- **Low cost home ownership:** There are schemes to help you to buy a home of your own. If you are in regular employment, you may be eligible for one of these schemes. There are income limits, so you need to look at www.housingoptions.org.uk for more information. They include properties built especially for low cost home ownership and properties available on the open market
- **Moving to an area of the country where Council and/or Housing Association properties are more freely available:** The Councils closest to Lewisham such as Southwark, Bromley, Bexley and Greenwich also have a shortage of housing. You can apply direct to their and any other housing list. The Council also has nomination rights to properties in the Thames Gateway. This is an area that is benefitting from massive investment, including new schools. Properties in the Gateway **area to which Lewisham Council has nomination rights will be let via Homesearch but you may also wish to apply directly** to other Councils who have properties in the Gateway area. Our housing advisors will be able to give you more information.

- **Staying where you are now but getting help to make the property more suitable for your needs:** If your property is in a poor state of repair or you are having problems with your landlord we may be able to help. Please contact the Environmental Health residential team at www.ehres@lewisham.gov.uk
- **A mutual exchange:** This is where an existing Council tenant agrees to swap homes, with the Council's consent. There are rules about the size of home you can move to. There is a separate leaflet available on mutual exchanges. If you are an existing tenant you should consider registering for a mutual exchange even if you need a different size property to the one you are in now. There is a separate website with information about the mutual exchange scheme and for details please go to www.houseexchange.org.uk.
- **Fresh Start:** This scheme helps households who want to relocate to different parts of the country find accommodation in the private sector. It is particularly aimed at those on the housing list that are overcrowded or homeless.
- **Applying to the Seaside and Country Homes scheme,** where there are some flats, and a small number of bungalows, in seaside and country towns in the South of England South West, Lincolnshire, Norfolk, Suffolk, Shropshire and Wiltshire., available to single Londoners aged over 60, or couples where at least one partner is aged over 60. For more information about this scheme please speak to one of our housing advisors in the Letting & Support Service Unit on 020 8314 6455.
- **Reciprocal arrangements:** with other local authority partners in the South East London Housing Partnership
- **Pan London mobility:** existing tenants of this Council can make transfer applications through Pan London Mobility to be considered for vacancies in other London local authority areas.

Our Housing Advisors will help and advise you on options that may be suitable for you. They can also give you general advice about how realistic your chances of being offered a Council or Housing Association home might be. It is very difficult to tell you how long you may have to wait for a property as this will vary greatly depending on where you want to live, what size of property you are looking for, and the priority band you are given. If you are looking for a smaller flat in a less popular area you may be able to move quite quickly; if you have set your heart on a house in a popular area you may have to wait for more than ten years or, depending on your circumstances, it may be unrealistic to expect an offer of that type of property in that area at all.

If you are already homeless, or think you may be going to lose your home, you should contact the Council's Housing Options Service. It is important that you talk to us as soon as possible – we may be able to help you to keep your current home, at least for a while whilst you look at your housing options. Being homeless does not mean that you will be housed more quickly than other people in need.

If we can work with you to prevent you becoming homeless this may give you a higher priority under the scheme than someone who is already homeless. If you do become homeless, you may face a long period of time in temporary accommodation before being housed permanently..

If you are in hospital, prison or another institution you can still apply for housing. The Council offers assistance to tenants who are remanded to help them to retain their housing options when they are discharged, there is more on this in section 2.5.2. The Council also has special arrangements in place to assist those who cannot return to their home after a stay in hospital, because it is no longer suitable for their needs. This will include people who need adapted housing because they have become disabled. You should liaise with the Housing Medical Advisor and the Community Occupational Therapy Team to see if your existing accommodation can be made suitable for your needs.

If you are suffering from domestic violence we will work with you to try to identify the best solution for you. This may include giving you support to remain in your current home and excluding the perpetrator. If you are experiencing domestic violence you should seek advice from your landlord, Refuge or the Housing Options service. There are a number of initiatives the Council supports which may enable you to stay in your home. These include:

- Access to floating support services for victims of domestic violence
- Advice on legal remedies such as injunctions

The Council and its Partner Landlords will not tolerate sexual, racial, homophobic or disability related harassment.

Wherever possible, a landlord should be seeking to resolve issues of anti social behaviour and harassment by taking action against the perpetrator, rather than moving the victim. It is however recognised that in extreme cases it is no longer safe for the victim to remain in the property. If you pursue an application through the housing list, it may be appropriate for you to be awarded High Priority on the ground of preventing homelessness. In very exceptional cases, such as where the police believe that there is a serious danger to you in remaining in the home, your case can be referred to the Housing Panel to be considered for Emergency Priority and we may be able to assist you with temporary accommodation or a permanent home. The Council is committed to working with partner agencies to promote housing options for single young people and there are a number of supported housing schemes that may be suitable for your needs funded throughout the borough. For more information on how to access these schemes please contact the SHIP service at SHIP@lewisham.gov.uk or 020 8314 3020/3898.

1.3 What properties are excluded from this policy?

This policy covers all Council and Partner Landlord properties, and other properties over which the Council has nomination rights that are available to let on introductory, secure, assured tenancies and includes flexible tenancies and those let under the affordable rented regime (up to 80% of market rents) except for:

- Statutory rights of succession to a tenancy on the death of the original tenant
- When an introductory tenancy becomes a secure tenancy at the end of the probationary period
- Where a Court makes a decision about a tenancy (such as an order under the Children Act)
- Where we let a property directly to someone who needs temporary accommodation only. This may include people who need to move out for a

while whilst refurbishment is carried out (temporary decant), but does not include permanent decants

- Where the tenant is returning to the property after refurbishment or improvement
- Properties that are let in conjunction with employment by the Council, such as to caretakers
- Mutual exchanges
- Tenancies granted under section 39 of the Land Compensation Act 1973 or sections 554 and 555 of the Housing Act 1985
- A letting to a person who lawfully occupies a family intervention tenancy
- Properties given to other authorities to advertise via sub regional agreements
- Renewal of a flexible tenancy

The Council participates in pan London mobility arrangements and accordingly up to five per cent of the properties that become available to the Council for re-letting or nomination each year will be made available to transferring tenants from other boroughs under those arrangements. For more information on Pan London Mobility please go to www.housingmoves.org or contact one of our housing advisors.

The decision as to which of our vacancies will be put forward to the operators of pan London mobility for applicants from other boroughs will be made by the Letting & Support Services Manager in the Housing Needs Group.

The ultimate decision as to which pan London mobility applicant will be let the property will be made by the Letting & Support Services Manager in the Housing Needs Group.

1.4 Equality and diversity

Lewisham is home to people from a wide range of backgrounds, from many communities.

This lettings policy contributes to our aspirations for making Lewisham a good place to live, work and learn for people of all communities. We are committed to “Reducing Inequality – narrowing the gap in outcomes for citizens” (Shaping our future – Lewisham’s sustainable community strategy). This means that we are trying to ensure that no section of the community should be excluded from the benefits and opportunities available, and that we have regard to the need to eliminate discrimination, harassment and victimization, the need to advance equality of opportunity and to foster good relations between minority groups and others.

. We will operate the lettings policy equally to everyone who applies to or is on the housing list, regardless of their race, gender, disability, age, sexuality, religion or belief . We are committed to delivering quality services to all.

An equalities analysis has been completed on the allocation policy.

1.5 Who can you contact for advice, or to make a complaint?

For advice about your housing options, please contact any of the local housing offices [see address details] and/or the Letting & Support Services Unit on 020 8314 6455.

If you think you may become homeless, you should contact the Council for advice at the earliest opportunity. The earlier you contact us the more chance we have of helping you to avoid becoming homeless.

You can call the Housing Options Centre [HOC] on 020 8314 7007 or e-mail HOC at www.housingoptionsenquiry@lewisham.gov.uk.

If you want to join the housing list then ask for an initial assessment. You can do this by telephone on [] or you can complete an application electronically at our website www.lewisham.gov.uk

If you are vulnerable (for example you are elderly, have a learning or other disability, or do not have the ability to read English or another language) we can assist you in accessing housing and bidding for properties. The Homesearch Support Officer based in the Letting & Support Services Unit assists applicants to engage with the choice based lettings system and can assist clients with bidding. Please contact the Letting & Support Services Unit for further information on 020 8314 6455 or email RegenRDU@lewisham.gov.uk

If you have a complaint about a decision we have made about your housing application, in the first instance you should ask for a review of that decision following the procedure set out in the following section. You will be advised of any further rights to make a complaint when notified of the review decision.

1.6 What to do if you disagree with our decisions

If we make a decision about your housing application that you do not agree with, you can ask for a review within 21 days of the decision being notified to you. Your request should be in writing, and should give us as much information as possible. If you need help in making a request, you can contact our housing advisors, the Homesearch Support Officer or other advice centres, such as the CAB who will be able to assist you in submitting your review.

We will give you a response as soon as possible, and aim to reach a decision within 56 days of receiving your request. We will tell you how we made our decision. A decision will always be reviewed by someone who did not make that decision. We will tell you who has reviewed the decision.

There is no right to a review of a decision by a Housing Panel or the Housing Needs Manager.

2 The Lettings Policy

2.1 Who can join the housing list?

Anyone aged sixteen or above can join the housing list, unless you are ineligible or disqualified. You will be ineligible if you are:

- A person that the Government says cannot be on the list (this includes people who are subject to immigration control and do not have permission to be in the UK, or whose immigration status does not allow them to benefit from government help).

These rules are summarised below.

- Unsuitable to be a tenant because you, or a member of your household who lives with you, have engaged in unacceptable behaviour. This is defined below.

However, if you are aged 16 or 17 you will be able to register on the list but you will not be offered a property until you are 18 years old.

2.1.1 Ineligible because of immigration status

The Government says that in general we cannot allocate housing to persons who need leave to enter or remain in the UK – and this applies to all persons except British citizens and persons with a right to reside in the UK under European law. If you need leave to enter or remain in the UK (regardless of whether or not you have leave) you will only be eligible to join the housing list if you fall into one of the following categories: (A) a person recorded by the Secretary of State as a refugee, (B) a person granted Exceptional Leave to Remain which is not subject to a condition of non recourse to public funds, (C) a person who has unconditional and unlimited leave to remain in the UK, is habitually resident in the Common Travel Area (UK, Channel Islands, Isle of Man or EIRE) and who is not sponsored and (D) a person who has been granted Humanitarian Protection.

The Government also says that we cannot allocate housing to anyone unless they are habitually resident in the Common Travel Area, subject to certain exceptions for: persons with rights of residence under European law, persons who are in the UK as a result of being deported or expelled from another country and other limited categories of persons who came to the UK fleeing from Montserrat, Lebanon or Zimbabwe. The Government also says that we cannot allocate housing to a person whose only right to reside in the UK arises under European law based on their status as a jobseeker or an initial 3 months' right of residence.

These rules do not apply to a person who is already a secure or introductory tenant or an assured tenant of accommodation to which they have been nominated by a local housing authority. In that case, you are free to apply for a transfer regardless of your immigration status.

The detailed provisions of these rules are quite complex and the above is only a summary of them. They are also subject to change by statutory instruments issued from time to time.

2.1.2 Unacceptable behaviour

Unacceptable behaviour means behaviour serious enough for a local authority or Housing Association landlord to have obtained a possession order.

Your behaviour or the behaviour of a member of your household must have been sufficiently serious for us to consider that you are unsuitable to be our tenant. If you have been guilty of unacceptable behaviour in the last two years, you will not normally be eligible to join the housing list. If you have a demoted tenancy with the Council, because your secure tenancy has been ended due to you, or a member of your household, causing anti-social behaviour, you will not normally be eligible.

However, in either case you can seek to persuade the Council that in the particular circumstances of your case you are suitable to apply for rehousing despite the unacceptable behaviour. You can rejoin the housing list following a demotion order when your secure tenancy is reinstated. However, your application date will be the date you reapply.

2.2 Disqualification or suspension from the housing list

As a result of the severe shortage of housing in Lewisham, we have identified certain groups of applicants to whom we will not normally allocate housing and who are therefore disqualified from being on the housing list or suspended while on the housing list.

The Council considers that the factors set out in the grounds for disqualification and suspension below will ordinarily outweigh any reasonable preference to which an applicant is entitled.

We also disqualify certain applicants to give effect to our One Offer Policy, following the refusal of an offer of housing, as explained below at section 2.2.3.

In addition, we will disqualify applications for 2 years where false information has been supplied in connection with the application: see section 3.1.2 below.

Some grounds of disqualification do not apply to homeless persons to whom the Council owes the main housing duty under section 193 of the Housing Act 1996, transfer applications from existing secure tenants of the Council or existing secure or assured tenants of our Partner Landlords. These are specified below.

The effect of being disqualified from the housing list is that your application will be cancelled, during the period of disqualification you will be unable to reapply and when the period of disqualification comes to an end, if you wish to pursue your application again, you will have to reapply. Your application will be taken to have been made on the date of your reapplication.

If you are disqualified but another person in your household qualifies, they may be able to join the housing list. The Council may grant a joint tenancy to you and that other household member, but we would normally allocate joint tenancies only to the applicant and their spouse or civil partner.

The effect of suspension is dealt with at section 2.3.4 below.

2.2.1 If you have significant financial resources

If you or another member of your household have sufficient financial resources, including assets such as property, which could be used to resolve your own housing difficulties without the help of the Council, you will be disqualified from the housing list for so long as your household's income or assets exceed the limits. Each year we will review the amount of income, savings and other assets that we define as sufficient financial resources, and publish this.

The current limits are as follows:

- gross annual income of £50,000 or more
- savings or assets of £16,000 or more

We will also disqualify your application for a period of 6 months from the date of our decision if we are satisfied that you, or a member of your household, has deliberately foregone income or disposed of savings or other assets for the purpose of pursuing an application for housing.

This does not apply to homeless persons to whom the Council owes the main housing duty under section 193 of the Housing Act 1996, transfer applications from existing secure tenants of the Council or secure or assured tenants of our Partner Landlords or leaseholders where the Council is buying back as part of a decant programme.

2.2.2 If you do not have a local connection with Lewisham

If you do not have a local connection with Lewisham, your application will be disqualified for a period of 6 months from the date of our decision.

Local connection means that:

- You are currently resident in Lewisham and have been resident for a period of 2 years
- The Council have accepted that they owe you the main housing duty under section 193 of the Housing Act 1996 (as amended by the Homelessness Act 2002) and you have been placed in temporary accommodation by the Council; or
- You work in Lewisham and need to move in order to enable you to continue working in Lewisham; or
- You need to move to Lewisham to take up an offer of employment in Lewisham; or
- You give or receive care or support from a family member who is already normally resident in Lewisham. For further information of what is meant by “giving and receiving care or support” please see section 3.1.1
- If you have recently left, prison or other institution, we will consider whether or not you have a local connection bearing in mind where you were living before you joined the armed forces, were imprisoned or institutionalised and whether you have family and other connections in the Borough.

We will ask you for evidence of your local connection with your application. This may include proof of residence, evidence from your employer or a social care assessment.

This ground of disqualification does not apply to transfer applications from existing secure tenants of the Council or existing secure or assured tenants of our Partner Landlords, applicants nominated via sub regional and pan London agreements or applications from those who have served in the regular armed forces within the period of 5 years preceding their application.

2.2.3 One Offer Policy

Certain categories of applicants are covered by the Council's One Offer Policy. They are as follows:

- Emergency Priority awarded by the Housing Panel
- Lewisham residential employees who are retiring
- Applicants who cannot leave hospital because they have no suitable accommodation elsewhere and/or require specially adapted accommodation
- Young people who have been looked after by the Council and for whom the Council has a corporate parent responsibility. This applies to a “relevant child” within the meaning of section 23A of the Children Act 1989 and a “former relevant child” within the meaning of section 23C of the Children Act 1989.
- Decants from Council or Partner Landlord properties whose homes are due to be demolished within 24 months – see 2.5.1
- Applicants placed in temporary accommodation by the Council and whose temporary accommodation is due to end within 6 months
- Applicants towards whom the Council has accepted the main housing duty under section 193 of the Housing Act 1996 or other homeless applicants in temporary accommodation
- Applicants awarded High Priority because they are moving on from supported housing
- Applicants awarded High Priority on the grounds of leaving institutions
- Applicants awarded High Priority on the grounds of homelessness prevention

Where the One Offer Policy applies, officers may bid on your behalf. They will bid for any property, provided that it is suitable, taking into account the Council’s size standards and any medical recommendation. Whether officers bid on your behalf, or you bid successfully for yourself, where the One Offer Policy applies you will receive one offer of a suitable property whichever bid is successful. Housing Panel and supported housing priority cases are only allowed to bid for themselves for a 12 week period. After that period, they will only receive a management offer. Management offers may also be made within the 12 week period.

If an applicant refuses an offer under the Council’s One Offer Policy, and that offer is upheld as suitable on review, their application will be cancelled, they will be disqualified for a period of 12 months, following which they will need to make a fresh application (see 2.2 above).

Tenancies offered of properties let as flexible tenancies will be allocated in line with the council’s Tenancy Strategy. This defines categories of person to whom the council expects only a lifetime tenancy to be offered. An offer of a flexible tenancy which conflicts with these priorities will not be considered to be suitable for the purposes of the one offer policy operated against certain categories of need.

2.2.4 Suspension for significant rent arrears

It is an important policy of the Council to reduce the amount of rent arrears owed by Council tenants and tenants of our Partner Landlords. If you or a member of your household owe the Council or one of our Partner Landlords in excess of the threshold of 1 month’s or 4 weeks’ worth of rent arrears, your application will be suspended until you reduce the arrears below this level. This means that, subject to reinstatement (see below), the rent arrears will outweigh any priority for rehousing you may have and you will not be able to bid or receive offers while you are in rent arrears above the threshold level. However, once your arrears have been reduced

below the threshold, your application will be active again and you will not need to re-apply. If you feel your rent account is incorrect or your level of arrears has changed you should contact your landlord to review this and you will need to submit clear evidence to satisfy us as to the correct level of arrears.

2.2.5 No priority

If your application is assessed as not coming within any of the Priority Bands stated at 2.5 below, your application will be disqualified. This is to ensure that the Council makes efficient use of its resources and does not give false hopes to those who are unlikely to receive an offer within a reasonable time (or at all)

2.2.6 Reinstatement in exceptional cases

In exceptional cases, the Council will reinstate a disqualified or suspended application despite the existence of one or more grounds of disqualification or suspension. In order to be reinstated, an applicant must apply to the Housing Needs Manager, who will reinstate the application only if satisfied that disqualifying the application would cause exceptional hardship to the applicant and their household.

There will be no further review of the decision of the Housing Needs Manager to refuse to reinstate a disqualified or suspended application.

The effect of a decision to reinstate a disqualified application on the ground of exceptional hardship will be that the application is treated as having been made on the date it was originally made, not the date on which it was reinstated.

The reinstatement of a formerly disqualified application is no guarantee that, if the applicant is nominated to another landlord, that landlord will accept the nomination.

The effect of a decision to reinstate a suspended application on the ground of exceptional hardship will be that the application is active again and you will be able to bid or receive offers.

2.3 What happens if you are not eligible or disqualified from the housing list?

If we decide that you are not eligible or disqualified from the housing list, we will tell you why. You can ask us to review the decision. Every application is treated individually. How we carry out a review of a decision is detailed in Section 1.6 above.

2.4 Who can be included on your application?

We normally refer to the other persons included on your application as your "household".

If you are homeless person to whom the Council owes the main housing duty under section 193 of the Housing Act 1996, then who you can include within your household is governed by the same rules as apply under the Housing Act 1996. In particular, section 176 states that a homeless person's household includes: (a) any other person who normally resides with them as a member of their family and (b) any other person who might reasonably be expected to reside with them. In cases falling under (b), it is for the Council to judge who it is reasonable to expect to live with you.

For all other applicants, you can include within your household only members of your immediate family who are normally resident with you, or who would normally live with you but cannot do so because your accommodation is not suitable for them, and other people who have a welfare need to live with you.

We will assess the size of property you require based on who is included within your household according to these rules.

As an exception to these rules, transfer applicants who are existing secure tenants of the Council or secure or assured tenants of our Partner Landlords may include within their household anyone who has been living with them for at least 12 months as a member of their family

Immediate family means the main applicant, their spouse, civil partner or long-term partner (including same sex partners), and their children, except where those children are living with a partner (whether married or not) or have their own children. It does not include your or your partner's: parents, grandparents, brothers, sisters, aunts, uncles, grandchildren, nieces or nephews, cousins, friends or lodgers.

Other people who have a welfare need to live with you means people who we do not include within our definition of "immediate family" but who need to live with you in order to give or to receive care or support from you or a member of your immediate family – see 3.1.1.

People who live with you and fit into one of the above categories but who are ineligible (because they are subject to immigration control) means people who are part of your household but are ineligible for an allocation. They may be considered as part of your household in terms of determining the size of home that you need but cannot be granted a tenancy of that home.

What happens to other people currently living with me?

You can continue to allow other people to live with you, if you choose to do so, unless by doing so you are making your home statutorily overcrowded, are breaking the terms of your tenancy or another legal duty. However, we will not take them into account in assessing your application. This may mean that your home is overcrowded, but we do not assess you as being overcrowded under the terms of our policy.

If you are currently living as part of a larger household we can provide help and advice to the other members of the household who are not part of your immediate family to find their own accommodation. This can include referrals to our "Fresh Start" programme for young adults, or advice on other ways to find private sector accommodation, or it may include applications to the housing list if they are eligible to do so.

This may mean that you do not need to move, or that you need a smaller property than you think. Your chances of being rehoused are greater if you need a smaller property as we have very few four, five or six bedroom homes.

Family members who are currently living elsewhere

If you are applying to include family members or other persons who are living abroad, we will not include those living abroad in your household. They will not be considered for inclusion within your household until they have arrived in the UK.

If you are applying to be reunited with family members living elsewhere in the UK (anywhere outside of Lewisham), we will consider including them within your household in accordance with the above criteria. You should also consider applying to be rehoused where they live, especially if the demand for housing is lower there.

If you share the residence or care of children with someone else (for example, under a shared residence order or contact order), we will only include the children as part of your household if you are the main care provider. We will decide who is the main care provider in the first instance by looking at who is paid child benefit or tax credits and who the children stay with for the most nights each week. If this information is inconclusive, we will consider the wider circumstances of the case. Only one parent can qualify as the main care provider for a child.

2.5 Priority Bands

If you are eligible and your application is not disqualified, you may make an application to join the housing list. Your application will be assessed according to the information and evidence required and placed into a Priority Band. Your application date will be the date we receive your application for housing with the Borough, or the date on which you reapplied following a decision that you were not eligible or a period of disqualification of your application. You must answer the questions on the form fully, and ensure that you provide any evidence needed. This will enable us to make sure that we put your application into the right Band.

If at a later stage we find out that the information you provided was untrue, we may disqualify your application for two years (see 3.1.2), or if you have been allocated a property apply to the Courts for possession and you could lose your tenancy. We could take legal action against you for fraud, and you may face a fine from the Courts.

If your household will not be able to gain priority as a result of a household member who is ineligible because they are subject to immigration control (called a “restricted person”). They will be disregarded for the purpose of assessing your priority.

2.5.1 Band 1: Emergency Priority

Applicants in Band 1 have the highest priority. However, other options may still meet your needs more quickly. Our Housing Advisers will discuss this with you.

This band includes all applications from:

- Anyone who has been awarded an Emergency Priority to move by a Housing Panel. Applications for emergency priority are normally referred to the Council by other agencies, such as the police or social services. The Housing Panel will only award Emergency Priority where they are satisfied that the applicant or another member of their household has an urgent need for rehousing because, unless they are rehoused:
 - their life will be in serious danger,

- they will suffer from a severe physical or mental illness,
- the welfare of any child within the household will be seriously prejudiced, or
- public safety will be severely endangered

as a result of their present housing circumstances. Please note that the Panel do not award Emergency Priority because of needs which are not caused by your current housing circumstances or which would not be improved by a move to a new property. Applicants awarded emergency priority will be given a period of 12 weeks to bid: see paragraph 2.2.4 above.

- Lewisham employees whose contract of employment requires them to occupy their current accommodation for the better performance of their employment duties, but who are now retiring
- Applicants currently admitted to an NHS hospital who cannot leave hospital because they have no suitable accommodation elsewhere and as a result of a medical condition they require a specially adapted home
- Council or Partner Landlord tenants who need an urgent move because their home is scheduled to be demolished within the next 24 months. We call this group "Decants"
- Council or Partner Landlord tenants who need to move because their home is scheduled to be demolished within the next 5 years and it is proposed that in excess of 200 units of accommodation will be demolished as part of a single phase of works. We call this group "Large Scale Decants"
- Households in temporary accommodation secured by the Council who have been in temporary accommodation for more than 12 months, where the lease of the property is due to come to an end within 6 months and the Council either does not wish to renew the lease or is unable to do so
- Council or Partner Landlord tenants who live in specially adapted homes suitable for the needs of disabled people, but who do not need these adaptations. By "specially adapted homes" we mean homes which have full wheelchair access, or which the Community Occupational Therapist assesses as having significant adaptations which cannot easily be removed. This may include sufficient wheelchair access to be useful to a household with a wheelchair user. Sufficient wheelchair access is likely to include wheelchair access into the property, and to living rooms and bathroom, but may not include a fully accessible kitchen
- Council or Partner Landlord tenants who are giving up at least a 2 bedroom property to move to accommodation of an appropriate size in accordance with the Council's size criteria (see Section 3.3.1) which has at least one less bedroom. We call this "under occupying". This also applies to Council tenants who have succeeded to a secure tenancy of accommodation on the death of the former tenant which is, in the Council's opinion, larger than they reasonably require..
- Young people who have been looked after by the Council and for whom the Council has a corporate parent responsibility. This applies to a "relevant child"

within the meaning of section 23A of the Children Act 1989 and a “former relevant child” within the meaning of section 23C of the Children Act 1989.

- If you have served in the regular armed forces within the period of 5 years before applying to join the housing list, and are assessed as having a High Priority under Band 2, you will be granted additional priority and in consequence moved up into Band 1.

2.5.2 Band 2: High Priority

Applicants in Band 2 are a high priority but may still have to wait some time to be rehoused. Your chances of being rehoused quickly will increase if you are flexible about where you live and in what type of property.

This band includes all applications from:

- Anyone who
 - will probably become homeless within 90 days but has not yet become homeless (including domestic violence and harassment cases);
 - is not occupying temporary accommodation provided or arranged by the Council
 - has not refused a reasonable offer of accommodation (including a private rented sector tenancy)
 - has a priority need; and
 - did not become threatened with homelessness intentionally
 - (within the meaning of Part 7 of the Housing Act 1996)“the homelessness prevention ground”
- Anyone with a High medical priority as recommended by the Medical Advisors. The Medical Advisors will only recommend High Priority where they are satisfied that the applicant or another member of their household has an urgent need for rehousing because, unless they are rehoused:
 - they will suffer from a serious physical or mental illness as a result of their present housing circumstances. Please note that the Advisors do not recommend High Priority because of needs which are not caused by your current housing circumstances or which would not be improved by a move to a new property.
- Residents of supported housing schemes ready to move on into independent accommodation. You will only be awarded move on priority if you are a resident of a Supported Housing scheme within Lewisham, and
 - ready for independent living; and
 - your housing needs are not met by the private sector.

The decision to award this priority to is taken by the Single Homeless Intervention Service, in consultation with your support worker. You should discuss your requirements with your support worker in the first place. Applicants awarded this priority will be given a period of 12 weeks to bid: see paragraph 2.2.3 above.

The Single Homeless Intervention Service will normally only award this priority if your move into independent accommodation is supported by the project you are living in. Particular factors which will count in favour of priority are as follows:

- You have been consistently engaged in employment or with education or training that is moving you towards employment. This can include voluntary work.
 - You were a drug user but are now clean and have remained clean for a reasonable period.
 - You have a physical illness that makes it more difficult for your needs to be met in the private sector. For example, mobility needs for specialist equipment.
 - You have severe and enduring mental health needs or learning difficulties that make it more difficult for you to obtain or sustain a private tenancy.
 - You have a history of repeated homelessness.
 - You have spent a period in supported accommodation as a 16 or 17 year old but are now 18 or older.
- Households who are seriously overcrowded in settled accommodation. Settled accommodation does not include, for example, temporary accommodation secured under Part 7 of the Housing Act 1996, the Children Act 1989, decant accommodation, a shared house, HMO or hostel. This applies to those who are 2 bedrooms (or more) short for their needs, When working out how many bedrooms you have, the Council will use the following rules:
 - Any room designed as a bedroom will be counted as a bedroom
 - If you have more than one living room, all extra living rooms will be counted as a bedroom
 - A bedsit or studio flat will count as one bedroom
 - Any room smaller than 50 square foot will not count as a bedroom

If you move into a property where you are overcrowded, we will look at whether you have deliberately tried to worsen your housing circumstances in order to increase your priority on the register. If we are satisfied that you have deliberately made your housing circumstances worse we will reduce your priority to the priority you would have had before you moved.

If you did not deliberately worsen your housing conditions, but moved in with others, or others moved in with you, you will not be entitled to overcrowding priority until you, or the others as appropriate, have resided in the property for a period of one year.

- Former Council or Partner Landlord tenants leaving institutions. This applies if:
 - you are a former Council or Partner Landlord tenant
 - you were admitted to a hospital, prison or other residential institution, and
 - within one month after entering the institution, you gave up your tenancy voluntarily

2.5.3 Band 3 – Priority

Applicants in Band 3 can expect to wait a long time to be rehoused, unless they are looking for accommodation which is not in high demand. Our Housing Advisors will work with you to consider other housing options that may be available to you.

- Applicants who, in the opinion of the Council, have one of the following needs:

- They are homeless (within the meaning of Part 7 of the Housing Act 1996 – note this includes persons in interim accommodation pending a decision on their homelessness application)
- They are owed one of the main housing duties by any local housing authority, under sections 190(2), 193(2) or 195(2) of the Housing Act 1996 or are occupying temporary accommodation provided or arranged by a local housing authority under section 193(2) of the Housing Act 1996
- A Council environmental health officer has recommended that they need to move because their current home is unsafe, insanitary or lacking in basic facilities
- They have a need to move because, unless they are rehoused:
 - They or any member of their household will suffer a significant deterioration in their physical or mental illness as a result of their present housing circumstances as determined by the Council’s Medical Advisor.
- They have a welfare need to move to a particular locality within the district, in order to give or to receive care or support
- Households in settled accommodation who are overcrowded because their present accommodation is 1 bedroom short of their needs. Please see 2.5.2 for what counts as “settled accommodation”. When working out how many bedrooms you have, the Council will use the following rules:
 - Any room designed as a bedroom will be counted as a bedroom
 - If you have more than one living room, all extra living rooms will be counted as a bedroom
 - A bedsit or studio flat will count as one bedroom
 - Any room smaller than 50 square foot will not count as a bedroom

If you move into a property where you are overcrowded, we will look at whether you have deliberately tried to worsen your housing circumstances in order to increase your priority on the register. If we are satisfied that you have deliberately made your housing circumstances worse we will reduce your priority to the priority you would have had before you moved.

If you did not deliberately worsen your housing conditions, but moved in with others, or others moved in with you, you will not be entitled to overcrowding priority until you, or the others as appropriate, have resided in the property for a period of one year.

- The applicant is currently employed or self-employed In Lewisham, such self-employment to be verified by tax returns and other business documentation and the household needs affordable accommodation in order to assist them to sustain that employment or self-employment. Applicants will only qualify if they have been working for at least 20 months out of the preceding two years, for at an average of at least 16 hours per week.

Summary of Bands (See section 2.5 for definitions)

| | No of offers | Payment |
|---|---------------------------------|----------------|
| Band 1: Emergency | | |
| Emergency Priority as decided by the Panel.(12 week bidding period applies) | 1 requested or management offer | |

| | No of offers | Payment |
|---|--|---------|
| Band 1: Emergency | | |
| Decants - Council or Partner Tenants whose homes will be demolished within 24 months | Bidding and refusals allowed however 1 management offer can be made at anytime | ✓ |
| Large Scale Decants - Council or Partner Tenants whose homes will be demolished within 5 years | Bidding and refusals allowed however 1 management offer can be made at anytime | ✓ |
| Households in temporary accommodation whose temporary accommodation is ending | 1 offer only. | |
| Lewisham Council residential employees who are retiring | 1 offer only | |
| Council or Partner tenant vacating specially adapted homes | Unlimited | |
| Under-occupier - Council or Partner tenant vacating a property with 2 or more bedrooms | Unlimited | ✓ |
| Applicants who cannot leave hospital because they have no suitable accommodation elsewhere and/or require specially adapted accommodation | <u>1 offer only</u> | |
| Children leaving care who have been looked after by the Council | <u>1 offer only</u> | |
| Former members of the regular armed forces | <u>1 offer only</u> | |
| Band 2: High Priority | | |
| Homelessness prevention | 1 offer only | |
| High Medical Priority – as decided by the Medical Advisors | Unlimited | |
| Move on from supported housing (12 week bidding period applies) | 1 requested or management offer only | |
| Seriously overcrowded by 2 or more bedrooms | Unlimited | |
| Former Council and Partner tenants leaving institutions | 1 offer only | |
| Band 3 – Priority | | |
| Homeless applicants | 1 offer only. | |
| All other categories within band 3 | Unlimited | |
| | | |

3. How the Policy is applied

3.1 Applying to the housing list

3.1.1 How can you apply to join the housing list?

Everyone who wants to join the housing list has to go through application process set out below.. This is to make sure that we have the information needed to decide whether you are eligible, whether your application is disqualified, to assess your priority for housing and to make sure everyone is assessed in the same way.

We will ask you to complete an initial assessment before we register your application. This is to work out whether you are eligible to join the register and meet the qualification criteria that we have set. If you are not eligible or do not qualify we can offer you advice about options for finding an alternative home but we will not register your application.

If you want to join the housing list then ask for an initial assessment. You can do this by telephone on [] or you can complete an application electronically at our website www.lewisham.gov.uk

If you need help, you can ask our Housing Advisors, or staff at other advice centres, or any support worker who helps you.

If you are assessed as eligible and qualifying to join the list, you will be asked to complete an application form and may be invited to an interview.

We will ask you for evidence to support your application. This may include proof of residence, proof of identity, proof of family relationships and evidence to support your request for inclusion in a Band. We may ask for this evidence when you register or at any point after your application has been registered and we will check it is up to date before any offer of accommodation is able to proceed.

If you have to live with people outside your immediate family to give or receive care or support, you must explain in your application why it is necessary for you to do so. We will seek evidence of the need for care or support, such as being in receipt of a carer's allowance. If there is a medical need for you to live with someone, we can ask the Medical Advisors to assess this.

You may be asked to complete a Medical Form if your application gives rise to medical issues.

If you think you need specialist accommodation, you must tell us this on your application.

3.1.2 Telling the truth

You must tell the truth. It is an offence to obtain, or attempt to obtain, a tenancy by deception. Section 171 of the Housing Act 1996 makes it an offence knowingly to withhold information that we reasonably require to assess your application, or knowingly or recklessly to provide false information in connection with the housing list. We will take appropriate action against anyone who gains a tenancy through knowingly providing false information. This may mean you lose your home.

If you provide false information and we discover this before you have obtained a home we will cancel your application, disqualify you from the housing list for a period of 2 years, and we may prosecute.

3.1.3 Use of information you supply

When we receive your application to join the Housing Register, we will register your details on a computer. We have a duty to protect public funds. The information you give on your form will be stored on a computer and may be shared with other public agencies (such as the Department for Work and Pensions, and the Police) and Council departments (such as Housing Benefits and Council Tax) solely to detect and prevent fraud.

We will share the information you give us with Registered Social Landlords and other housing authorities for the purposes of housing nominations

We may need to check that the information you have given us is correct. We will do this in a variety of ways, which may include speaking to other agencies about your application and also talking to your current landlord. This may include, but is not limited to, enquiries about your rental payments and any arrears.

Any medical information you supply may be shared with Council officers in other departments, where necessary.

3.1.4 Processing your application

We will aim to register your application within 20 working days of receiving all the information we require. When we register your application, we will tell you which Priority Band you are in.

If you have requested priority on medical grounds or priority to be awarded by the Housing Panel, it may take us up to 6 weeks to complete this assessment. Therefore, in such cases your initial priority may be amended later, once the result of the assessment is known.

If you do not provide the necessary information, we will not be able to register your application. We will contact you to explain what further information we require. If you fail to provide this information within 14 days your application will not be registered and you will need to reapply once you have provided the information requested.

If you do not agree with our decisions, you may ask for a review. This is explained at Section 1.6.

3.1.5 Keeping your application up to date

You must inform us if your circumstances change. For example, if you have a baby, a partner moves into your home or someone who lived with you moves out of your home or you change your address.

We may contact you from time to time to review your application and to update it. If you do not return your Re-registration Form within the time stated, your application will be cancelled from the housing list and you will need to reapply.

3.1.6 Medical assessments

If your case gives rise to medical issues, you will have to complete a Medical Form, available from Housing Advisors. You should complete a separate form for each person in your household who has a medical need. The Medical Advisor will consider the information on the form, and may, if they think they need to, contact your GP, other doctors involved in your care, or other health, social care or educational professionals to obtain more information.

You should not ask your own doctor or other medical professionals or social workers to write to us. Our Medical Advisor will contact them if necessary and ask for the information relevant to your application. Our Medical Advisor will not normally see you or examine you.

If your case gives rise to medical issues and has been referred to a Housing Panel for consideration of Emergency Priority, the Panel will take into account the recommendation of the Medical Advisor.

It will normally take up to six weeks to obtain a medical assessment.

The Medical Advisor may recommend Emergency, High Medical Priority or Priority on medical grounds (see 2.5.2 and 2.5.3 above for the criteria applied). A decision of no priority does not mean you do not have any medical needs but it may mean that rehousing will not help your medical condition.

The Medical Advisor can also make specific recommendations about the type of property you need. This can include allowing an extra bedroom (see 3.3.1 below) You will only be guaranteed a home with a lift, central heating or garden if the Medical Advisor makes this recommendation.

If you are unhappy with the decision reached as a result of the Medical Advisor's recommendation you may ask for a review. Your case will then be re-examined by another Medical Advisor not involved in making the original recommendation. The outcome of this review will be final.

If you have additional medical information not considered in the original decision, or your condition changes, you should ask for a reassessment.

3.1.7 The Emergency Housing Panel

The Panel will only consider cases where people need to move in an emergency. The Panel will normally only consider cases which are referred by another agency, including the police, Lewisham's Social Care or Health partners, partner landlords, the Multi Agency Risk Assessment Conference (MARAC), the Multi Agency Public Protection Arrangement (MAPPA), the National Witness Protection Scheme, or other welfare organisations.

The Panel is convened and chaired by the Letting & Support Services Manager, and comprises five people plus the Chair. In the event of split decision the chair has the casting vote.

The Panel will normally be composed as follows:

- Lewisham Council Letting & Support Services Manager (Chair)
- Lewisham Council Strategy and Policy Representative
- Homesearch Manager

- One representative from Health or Social Care
- Two Homesearch partners

Each Panel member will have a named substitute who can participate in Panel decisions if the member is away. The Panel usually meets monthly, but can consider cases without meeting if necessary, by telephone conferencing or email. Where the situation demands it a decision can be produced within 5 days.

Other agencies referring a case must send a report and be available to answer queries. They should attend a meeting if there is one, or participate in telephone or email conferencing. You will not be able to attend the meeting or participate on telephone or email conferencing yourself.

The Panel will take account of recommendations from partners including other panels such as Multi Agency Public Protection Agreement (MAPPA) or Multi Agency Risk Assessment Conference (MARAC), but does not have to accept the recommendations of such panels.

If you think you may have an urgent need to move, you should contact our Housing Advisors. If you are a tenant, you should talk to your landlord first. You should seek help with the difficulties you are experiencing from a suitable agency – police, social services or a specialist welfare agency, depending on the situation.

To be considered for an award of Emergency Priority on medical or welfare grounds, normally you will need a referral from an agency, which gives evidence of your needs, and shows clearly why you should be considered on an emergency basis.

There is no right to a review of a decision of the Housing Panel.

If the Panel do not award Emergency Priority, your case cannot be referred back to them unless your circumstances change significantly. The person referring your case must be able to demonstrate that your circumstances are substantially worse than when the Panel first considered the case.

3.1.8 How to bid

- Look at the weekly newsletter or on the website, choose the properties that you are eligible for and that you are interested in and make a request.
- Each advert will give details about the properties available, the landlord, the weekly rent, the property's features and whom it is most suitable for. There will be a photograph of the property, where we have one. However the photograph may not be of the actual property but a similar property in the street or block
- When you see a property that you are interested in, check that it's suitable for you and that the deadline hasn't passed.
- Then all you need to do is make a request by calling the Lewisham Homesearch property request line, Thursday-Sunday 24hours on 0845-1220567 (not an information line), and tell them your housing application number, your surname and the property reference number. You can also make requests using the website.
- You need to make your request for a property by the closing date on the newsletter and website each week.
- You can ask a friend or relative or any other helper to make requests on your behalf that you're eligible for.

- If you're unable to check the newsletters or the website every week, you can ask a friend or relative or any other helper to phone the call centre or use the website for you. All your helper will need is your name and housing list number and the property reference number for the home you wish to request.
- If you're successful, attend an interview and/or view the property.
- Offers are not made on a first come, first served basis. We will look at all of the requests together after the deadline date. See further, section 3 as to how the Council selects the successful bid.
- We send the details of the successful applicant to the landlord of the property.
- If you're the successful applicant, the landlord will contact you to offer you the property, or ask you to go in for an interview first. If you're offered the property, you can view it before you decide whether to take it.
- In Lewisham Homeseach some applicants have the right to refuse, whether or not you've refused offers before(see summary of bands). In most circumstances you'll have the chance to apply for more properties the following week.
- If your request was not successful, please check the results page of the newsletter and the website. Lewisham Homeseach will publish details of all the properties that have been let, showing the band of the successful person and how many eligible people put in a request for the property. This will help to build up a picture of what to put yourself forward for each week. The results however, may take a few weeks to appear.
- Council property can be offered as temporary accommodation for use by the Housing Options Centre. These temporary lets will not be advertised but the results will be shown in the newsletter after they are let.

You can apply to the housing list whilst you are in prison. Your date of application will not be delayed until your release, and upon your release you can bid for properties. You are not guaranteed a property on release and you should seek advice from housing advisors prior to your release.

For some categories of people, we may take extra steps to ensure they are rehoused, even if they do not bid for themselves. We may bid on their behalf for properties suitable to meet their needs: see our One Offer Policy at Section 2.2.3 above.

3.1.9 Clients matched to properties

If you successfully bid for a property, your application will be matched to that property until the offer is made and your application and property details are verified. When you are matched to a property your application will be suspended and you will not be able to bid for other properties until the outcome of the offer is determined.

3.2 How do we decide which Band your application should go into?

We will assess the relevant circumstances of your case, and place you in the highest band possible, according to our Priority Band criteria at section 2.5.

If more than one person in your household qualifies for inclusion in a Priority Band the Band you are placed in will reflect the person in your household with the highest priority.

In exceptional circumstances, the Housing Needs Manager may in the exercise of their discretion increase the priority awarded to your application or vary the type of

accommodation you may be considered for, based on the exceptional circumstances of your case. They may only do so where this would be in accordance with the objectives and spirit of the Lettings Policy. The Housing Needs Manager's decision will be final.

Where Lewisham needs to react to extraordinary circumstances affecting housing within its area, such as a large scale emergency, the Housing Needs Manager may vary, suspend or disapply this Lettings Policy in whole or in part in so far as they consider this necessary in the circumstances. The Housing Needs Manager's decision will be final.

3.3 How do we decide which application takes priority?

For each property, we look at which applicants have expressed an interest or "bid". For more about how to bid, see Section 3.1.8.

From those applicants who have expressed an interest, first of all we decide which of those applicants the property is most suitable for on the basis of property size.

Within the group of applicants for whom the property is suitable on the basis of size, it will be offered first to the applicant in the highest Priority Band. If there is more than one applicant within the same Priority Band, it will be offered first to the applicant within that Band who has been in that Band the longest (earliest Band/List Date). If there is more than 1 applicant who has the same Band Date we will use the application date to decide between them except where there is an applicant with Starred Decant Priority (see 3.3.4 below).

Certain properties are advertised with specific criteria attached, as determined by a Local Lettings Plan or Annual Lettings Plan, or because they are offered as specialist accommodation, such as sheltered accommodation, or housing available only to certain groups. This will be made clear on the advertisement. In these cases, priority will be given to applicants meeting the relevant criteria, even if they have a lower Band than applicants who do not meet the criteria. If there is more than one applicant who meets the criteria for the accommodation, the successful applicant will be selected on the basis of Priority Band and earliest Band Date.

Before we offer a property, we check again that you are eligible, not disqualified from the housing list and that the property is suitable for your needs.

In limited cases, properties are let directly to applicants without being advertised (see 3.4.5 below).

3.3.1 Property size

You can only bid successfully for accommodation of the right size for your household's needs, in accordance with the criteria set out below. You may only bid for a property with an extra bedroom if this has been recommended by the Medical Advisors or you are in Emergency Priority Band 1 with under occupation priority. The Council may also permit an exception to be made to the usual size criteria in the case of a local lettings plan to applicants in Emergency Priority Band 1 with Decant priority or exceptionally based on the decision of the Housing Needs Manager.

If you have a very large household [4 or more bedrooms], we may agree to allow you to bid for properties smaller than you need, because the chances of obtaining a very large property are so small.

How many bedrooms do you need?

In calculating how many bedrooms you need, we will allow you:

- one bedroom or a studio for you and your partner, if you have one
- one bedroom for every two children of the same sex, aged under twenty one
- one bedroom for a child of the opposite sex to another child, if the child is aged over ten
- one bedroom for any other adult

We will only allow bedrooms for people who are entitled to be on your application as part of your household.

We do not allow an extra bedroom if you are pregnant; you should notify us when the baby is born as this may entitle you to an extra bedroom.

The medical advisor may recommend an extra bedroom on medical grounds

| | 1 adult or a couple plus | | | | | | | | |
|--------------------|--------------------------|--------|---------------------------------|------------------------|----------------------------|--|--|------------|--------------------|
| | 1 person | couple | 2 adults not living as a couple | 1 child or other adult | 2 children of the same sex | 2 children of opposite sexes aged under 10 | 2 children of opposite sexes, one or both aged over 10 | 3 children | 4 or more children |
| Studio flat | X | X | | | | | | | |
| 1 bed | X | X | | | | | | | |
| 2 bed | | | X | X | X | X | | | |
| 3 bed | | | | | | | X | X | |
| 4 or more bedrooms | | | | | | | | | X |

- Studio flats and 1 bed properties are offered to an individual or a couple
- 2 bed properties are offered to a couple or lone parent with one child, or with two children of the same sex, or two children of the opposite sex aged under 10; or two adults not living as a couple, e.g. parent and adult son; or individual and carer
- 3 bed properties are offered to a couple or lone parent with 2 children not of the same sex, where one child is over ten years old, or with three children; or any three adults where none are living as a couple
- 4 bedroom properties are offered to households consisting of a couple or lone parent, with four or five children, or 4 adults where no two are living as a couple as set out above
- 5 bedroom properties are offered to households with a couple or lone parent, with six or seven children. Further bedrooms are offered on the basis of one or two children per bedroom.

You may choose to bid for a property which is smaller than we think you need, but please be aware that some landlords will not let properties to families larger than the size the accommodation is designed for, in which case your bid will not be successful.

Our Medical Advisers can recommend allowing an extra bedroom if in the opinion of the Medical Adviser it is necessary because an adult or child with an illness or disability cannot share a room with their partner or another child they would normally be expected to share with, on medical grounds or because they need extra space in the bedroom for three or more bulky items of special equipment. e.g. wheelchair, hoist or commode.

Homeless cases with an accepted duty under sections 190(2), 193(2) or 195(2) of the Housing Act 1996 or who are occupying temporary accommodation provided or arranged by a local housing authority under section 193(2) of the Housing Act 1996, who need very large properties may make a bid for a property smaller than we assess as suitable for their household's needs. If this property is refused, thereafter they will only be able to bid for properties that we assess as meeting their household's needs (see 3.3.1)

3.3.2 Band order

The general rule is that an applicant from a higher Band will take priority over an applicant from a lower Band, e.g. a Band 1 applicant takes priority over a Band 2 applicant.

As an exception to that rule, certain properties are advertised with specific criteria attached, as determined by a Local Lettings Plan, Annual Lettings Plan or because they are offered as specialist accommodation (see Section 3.3 above)

3.3.3 Prioritising applications within a Band

Within a Band, priority is determined by the date the application was placed in that Band, with the person who has been waiting the longest within that Band having the highest priority.

For example, first priority will be awarded to any bidder who has been awarded Emergency Priority. If there is more than one bidder who has Emergency Priority, priority will be given to the applicant who has had Emergency Priority status for the longest. In the unlikely event that two bidders have the same date for award of Emergency Priority, priority will go to the bidder who has been registered on the housing list the longest. If there is no applicant with Emergency Priority, then the consideration will be given to applicants in Band 2, then Band 3 etc. Within a given Band, priority will be determined by the date the application was placed into that Band. But someone who is in Band 1 will be given priority over someone in Band 2, even if the person in Band 2 has been waiting longer.

If your circumstances change and you are awarded a higher priority, your Band date applies from the date you are given the higher priority, not the original date of your application

If your circumstances change and you are awarded a lower priority Band, your date for the lower Band will be treated as either: the date you first went into that Band, or the date you first went to a higher Band whichever is earlier.

3.3.4 Starred decant priority

As an exception to waiting time priority as described in subparagraph 3.3.3 above, where the Housing Needs Manager is satisfied that there is an urgent management need to move applicants who are either Decants or Large Scale Decants, which is sufficient to override the usual scheme of priority afforded by this policy, he or she may award "Starred Decant Priority" to a particular decant scheme or to a particular phase of a decant scheme within 24

months of the proposed commencement of demolition works. This could include circumstances in which a decant scheme is not proceeding on target and further delay in obtaining vacant possession might prejudice the proposed redevelopment.

Applicants within Band 1 with Starred Decant Priority will be given priority over all other applicants within Band 1. If there is more than one bidder who has Starred Decant Priority, priority will be given to the applicant who has the earliest scheduled demolition date. If two bidders with Starred Decant Priority both have the same scheduled demolition date, priority will be given to the applicant who has had Emergency Priority status the longest.

3.4 Homes that may be offered first to specific groups of applicants

3.4.1 Specialist accommodation for elderly or disabled persons or other special groups

There are some homes that have been designated for specific groups of people, either because of age, disability or other defined criteria. When this type of vacancy occurs it will be advertised with preference to those who meet the designated criteria. This will be specified in the advert and we will only let the property to a household that meets the designated criteria. If no applicable households bid, we may contact eligible households, to identify an applicant who can make the best use of the property.

This includes sheltered housing for the elderly, and homes suitable for disabled people. It can also include homes provided by Partner Landlords with a specialist remit, where homes are restricted to certain groups of people who may be disadvantaged or have special needs.

Homes adapted for the Disabled

If you have a disability that affects the type of housing you live in (for example, you have a wheelchair or cannot manage stairs), your application will be assessed by our Medical Advisors, in conjunction with Occupational Therapists where appropriate. We will only offer you a home which meets your needs or can be reasonably adapted to meet your needs.

When a disabled adapted home (or one considered suitable for adaptation) is advertised, it will be clearly identified as such. The shortlist of bidders who meet the criteria will be passed to the Community Occupational Therapist, who will check whether the property meets the needs of the highest ranked bidder

Homes on the ground floor or with gardens which are not suitable for adaptation to full wheelchair standards

There is a large demand for homes on the ground floor, with gardens or on lower floor levels. This type of accommodation will be offered to households who the Medical Advisors (in consultation with the Occupational Therapists where necessary) have recommended should live on the ground floor or in a property with a garden. This will be indicated on the advert.

3.4.2 Allocation of Houses

Houses with up to three bedrooms will be offered to families with children under 11 years of age, or applicants who have Emergency Priority on the grounds of under occupation where they are already living in a house. Houses with four or more bedrooms will not be subject

to this rule given the relatively small numbers of flats with four or more bedrooms in the social housing stock.

3.4.3 Local Lettings Plans

Where we consider that there is an overriding need to respond to local conditions, we will operate a Local Lettings Plan. If this applies, it will be stated on the advert for a property. When a Local Lettings Plan applies, the property will be advertised for applicants satisfying stated criteria.

For example, when we are regenerating a large area, it is important to make sure that the newly refurbished homes are let to a number of different people, so that they can settle to form a mixed community. In these circumstances we will specify criteria to ensure we get a mix of people. We may also give priority to people who previously lived in the area and had to move for the regeneration to take place. Criteria may include supporting people to move to an area because they are in employment there, or have been offered employment there. The equalities impact of any Local Lettings Plan will be considered prior to the Council agreeing to it.

3.4.4 Annual Lettings Plan

Each year we will set aside some allocations to be targeted at specific groups who we consider have particularly pressing demands for housing in that year.

The Annual lettings plan will be presented to Mayor and Cabinet in February each year.

Within the annual lettings plan we may also identify a small percentage of properties which will be allocated to from tenants of our Registered Provider (Housing Association) partners. How they will be allocated will be governed by the Tenancy Policy which we will agree with our Registered Provider partners.

We may also allocate a small number of lettings each year to applicants who need accommodation in order to assist them to obtain and keep employment in Lewisham or who have made a substantial contribution to the community. These allocations will be decided by a Panel of individuals who will determine who the relevant properties will be allocated to.

3.4.5 Direct lets

In limited categories of cases the Council may make a direct offer of specific accommodation to a person in need of that accommodation without advertising the property under its Lettings Policy. This only applies to:

- A person to whom the Council owes the main housing duty in section 193 of the Housing Act 1996, who is occupying temporary accommodation secured by the Council under that duty and has been occupying such accommodation for a period of not less than 12 months and the temporary accommodation is suitable for the person and their household's needs. In such a case the Council may make a direct offer of a permanent tenancy of the temporary accommodation.
- The Council may make a direct nomination of a person who has a need for supported accommodation to a Registered Social Landlord or other charity for specific supported accommodation. A person will be eligible for such a direct offer if assessed as having significant support needs in relation to the maintenance of their tenancy by the SHIP Team (SHIP@lewisham.gov.uk).

- The Housing Panel may decide that that a specific property should be matched directly to an applicant due to their exceptional needs and/or the exceptional urgency of their case.

3.4.6 Chain Lettings

Any 3 bedroom or larger property released by an under occupier will be reserved for existing overcrowded social rented tenants within the London Borough of Lewisham and Phoenix Community Housing tenants

These properties will be advertised in the Homesearch magazine as “preference given to overcrowded social housing tenant“ Where a property is advertised in this way, the property will be allocated to the overcrowded social housing tenant in the highest Band with the longest waiting time in that Band. Any subsequent voids will also be advertised as preference given to an overcrowded social rented tenant.

4. Other Housing Options

Mutual exchange

If you are a council, housing association or housing co-operative tenant you normally have the right to a mutual exchange. This means you can swap your home with another tenant provided your landlord agrees.

If you are a housing association tenant, contact your landlord who will manage the exchange process for you.

Tenants of Lewisham Council housing

Tenants of housing owned by Lewisham Council can search the website to find properties that match your requirements. [Lewisham House Exchange](http://www.houseexchange.org.uk) (www.houseexchange.org.uk).

What happens during an exchange

Once we've received and registered your application, we will write back to you to tell you if permission is granted or refused.

Where both rent accounts are clear and there are no other breaches of tenancy conditions, an exchange can be approved quite quickly.

An exchange may be refused if one of the tenants is in rent arrears or under notice to leave. An exchange may also be refused if a property is too big or too small for the people intending to occupy it, or if one of the properties is designated for elderly or disabled persons. If your request is refused, you have the right to appeal against the decision to your Landlord.

With a mutual exchange, you will be asked to accept the property in the condition it has been left by the last tenant. The Partner Landlord will carry out routine repairs in accordance with the tenancy agreement, but it will be your responsibility to repair any damage caused by the previous tenant.

Who is eligible

Tenants living in Council housing usually have the right to exchange their property. The Partner Landlord may refuse a mutual exchange on any of the following grounds:

- one of the parties is an introductory tenant
- there is a possession order against either tenant
- a notice of seeking possession served on grounds 1-6 is still in force against either tenant

- the incoming tenant(s) will be under-occupying the dwelling by more than one room
- the incoming tenant(s) will be overcrowded, or the property is otherwise unsuitable to their needs
- the dwelling is designed or adapted for disability and the incoming tenant has no disability
- the dwelling is a special needs unit and the incoming tenant has no special needs
- one party has paid money to the other party to induce the exchange.

Fresh Start

This scheme helps households who want to relocate to different parts of the country find accommodation in the private sector. It is particularly aimed at those on the housing list that are overcrowded or homeless.

To apply, contact our Fresh Start team on 020 8314 8180.

Seaside and country homes scheme

The Seaside and Country Homes Scheme is designed for people (or partners) in social housing who are aged 60 and over and want to move out of London.

The properties are located on the coast from Lincolnshire to Cornwall plus there are some properties inland in rural areas.

For more information on the Scheme and how to register contact us using the details below or go to the [Housing Moves](#) (external website).

Reciprocal arrangements with other local authority partners in the South East London Housing Partnership

Pan London mobility: existing tenants of this Council can make transfer applications through Pan London Mobility to be considered for vacancies in other London local authority areas.

If you have significant financial resources

If you or another member of your household have sufficient financial resources, including assets such as property, which could be used to resolve your own housing difficulties without the help of the Council, you will be disqualified from the housing list for so long as your household's income or assets exceed the limits [see 2.2.1].

However you may be able to find accommodation through home ownership or shared ownership schemes. If you are interested in investigating this option you can telephone 08452 300899. Staff there will be able to give you advice about whether you are able to take up this option.

If you are homeless or threatened with homelessness

The Council has a duty to some households who may be homeless or are threatened with homelessness.

The Council may have some responsibilities to assist you with housing. If the following applies:

- you are homeless or threatened with homelessness in 28 days

- you are eligible for assistance (some households who are subject to immigration control are not eligible for housing assistance as homeless)
- you are in priority need (categories include those with dependent children, pregnant women, those who are vulnerable as a result of a range of reasons or are homeless as a result of an emergency)
- you are not intentionally homeless (this relates to the reasons you lost previous accommodation)
- have a local connection with the area (based generally on periods of residence, close family relationships or employment)

However it is important that if you are at risk of losing your home you contact the HOC for advice as soon as possible as the council may be able to help to prevent you losing your home. If we are able to do this then we may be able to avoid the need for you to go into temporary accommodation. Because of the shortage of social housing for all those who need and want it, it is usual for homeless households, to whom the Council owes a duty, to move into temporary accommodation. It is likely that you will remain in temporary accommodation for a period before you successfully bid for accommodation on the Council's homesearch system, based on the priorities in this scheme.

We can provide you with housing and practical advice, intervention with landlords and mortgage providers and assistance to identify alternative accommodation through home ownership schemes and in the private rented sector. If we have to place you in temporary accommodation we can still give you advice and help you to access alternative housing options. Anyone who needs housing advice to prevent homelessness or help to look for an alternative home can obtain it, even if they do not fall into the categories to whom the council has a duty above. For further information please contact HOC on 020 8314 7007 or housingoptionsenquiry@lewisham.gov.uk

5 Reviewing this policy

An Annual Lettings Plan based on this policy will be agreed by Members each year. This will set out how the Council will respond to particular pressures and opportunities during the year, within the framework of this policy.

Where there is a change in legislation or case law, amendments to this policy may be made by the Executive Director for customer services in consultation with the Head of Law under delegated authority and such changes will be reported to Members annually

Annex1: Annual Lettings Plan 2012/13

| Band & Priority reason | | | | | | | | |
|-------------------------------------|-----------|------------|------------|------------|-----------|-------------|------------------|-------------------|
| | Bedsit | 1 bed | 2 bed | 3 bed | 4+ bed | Total | %age of all lets | %age general let |
| Band 1 | | | | | | | | |
| Decants | 0 | 151 | 70 | 32 | 10 | 263 | 15.8 | 19.1 |
| Under occupiers | 0 | 30 | 50 | 15 | 0 | 95 | 5.7 | 6.9 |
| All other band 1 | 0 | 40 | 81 | 31 | 14 | 166 | 10 | 12.0 |
| Total band 1 | 0 | 221 | 201 | 78 | 24 | 524 | 31.5 | 38.0 |
| | | | | | | | | |
| Band 2 | | | | | | | | |
| Supported housing move-on | 53 | 102 | 0 | 0 | 0 | 155 | 9.3 | 11.2 |
| Serious overcrowding | 0 | 0 | 55 | 73 | 18 | 146 | 8.8 | 10.5 |
| All other band 2 | 1 | 41 | 44 | 52 | 15 | 153 | 9.2 | 11.1 |
| Total band 2 | 54 | 143 | 99 | 125 | 33 | 454 | 27.3 | 32.9 |
| | | | | | | | | |
| Band 3 | | | | | | | | |
| Homeless in temporary accommodation | 15 | 60 | 189 | 62 | 25 | 351 | 21.1 | 25.4 |
| All other band 3 | 4 | 13 | 20 | 13 | 1 | 51 | 3.06 | 3.7 |
| Total band 3 | 19 | 73 | 209 | 75 | 26 | 402 | 24.1 | 29.1 |
| | | | | | | | | |
| Band 4 | | | | | | | | |
| All other band 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0% | 0% |
| Total band 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0% | 0% |
| | | | | | | | | |
| Total general lets* | 73 | 437 | 509 | 278 | 83 | 1380 | 82.8 | 100 |
| | | | | | | | | |
| | | | | | | | %age of all lets | %age special lets |

| Band & Priority reason | | | | | | | | |
|-------------------------------------|-----------|------------|------------|------------|-----------|-------------|------------------|------------------|
| | Bedsit | 1 bed | 2 bed | 3 bed | 4+ bed | Total | %age of all lets | %age general let |
| Temp to perm (2010) sign up | 0 | 1 | 108 | 17 | 0 | 126 | 7.6 | 53.6 |
| Sheltered | | | | | | | | |
| Under occupiers | 0 | 5 | 0 | 0 | 0 | 5 | 0.3 | 2.1 |
| Medical High | 0 | 5 | 0 | 0 | 0 | 5 | 0.3 | 2.1 |
| General sheltered need | 10 | 64 | 0 | 0 | 0 | 74 | 4.4 | 31.6 |
| Disabled adapted | | | | | | | | |
| Decants | 0 | 2 | 2 | 0 | 0 | 4 | 0.2 | 1.7 |
| Medical High | 0 | 5 | 6 | 6 | 0 | 17 | 1.02 | 7.2 |
| General disabled need | 0 | 2 | 0 | 2 | 0 | 4 | 0.2 | 1.7 |
| Total special lets** | 10 | 84 | 116 | 25 | 0 | 235 | 14.1 | 100 |
| | | | | | | | | |
| Contribution to Pan London Mobility | 7 | 23 | 14 | 7 | 0 | 51 | 3.1 | |
| | | | | | | | | |
| Overall total lets*+** | 90 | 544 | 639 | 310 | 83 | 1666 | 100.0% | |
| | | | | | | | | |