

Allocation Policy

(Revised 2019)

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Introduction

1. The Borough of Brentwood is an area where demand for affordable housing is greater than supply. This demand cannot be fully met by the housing available to the Council.
2. The Council administers a Housing Register for people in need of housing. There are two parts:
 - The Transfer List for Transfer Applicants – people who are already Brentwood Borough Council tenants or tenants of housing providers (normally housing associations) who have been nominated to that tenancy by Brentwood Borough Council.
 - The Home Seeker List for Home Seeker Applicants – other people in housing need who qualify for consideration for housing.
3. The Council's housing is allocated through HomeOption, our choice-based lettings system. Properties are advertised on a fortnightly cycle, both through a newsletter (available on request) and website, and applicants have the opportunity to express an interest for any vacancies that arise.
4. In most cases, properties are offered to the applicant with the highest number of points who has expressed an interest, and, if that applicant refuses, to the next highest pointed applicant until the property is accepted.
5. This document explains the policies that Brentwood Borough Council will follow in the eligibility, prioritisation and allocation of accommodation available to applicants on the Housing Register. The Policy is available for inspection on the Council's website, and copies are available free of charge from the Town Hall during normal working hours.

Aims and objectives of the Allocation Policy

6. The Allocation Policy is intended to comply with all prevailing statutes and statutory guidance concerning the allocation of accommodation. It is also framed to be consistent with:
 - The Council's Corporate Plan¹
 - The Council's Housing Strategy 2017-2020² which includes our Tenancy Strategy and Homelessness Prevention Strategy
 - The tenancy policies of the Council's own housing stock.
7. The Council believes that the affordable housing resources of the borough are a precious asset. The purpose of the Policy is to target the available supply of homes in such a way that the most vulnerable residents in the borough are protected, and help goes to those most in need of it, including working households on lower incomes.

¹ See <http://www.brentwood.gov.uk/index.php?cid=1924>

² See <http://www.brentwood.gov.uk/pdf/15032017132944u.pdf>

8. The Council is committed to offering the greatest choice possible in the allocation of housing in the Borough. However, the ability to enable and offer choice has to be balanced against the availability of homes and the requirement to ensure that those in greatest housing need are given priority for housing.
9. The Policy is also intended to support other key strategies, responsibilities and duties of our statutory partners (for example in health and social care), and to be developed in partnership with other housing providers in the borough, and with our neighbouring housing authorities.
10. Our Policy is designed to ensure consistency and fairness in the allocation of housing in the Borough, and to ensure the lettings process is clear, transparent and accessible to all, so that housing applicants are able to make informed decisions about their housing, including considering alternative housing options, such as low-cost home ownership
11. The Council supports the principle of five-year fixed term tenancies (also called flexible tenancies) to all new tenants. The tenancy is also likely to include an introductory tenancy term of 12 months, during which the landlord must satisfy itself that a tenancy can be sustained and meet all the conditions of the Tenancy Agreement.
12. After the fixed term, the Council will expect that the majority of tenancies will be renewed unless there are any of the following change in circumstances:
 - Increase in tenant's financial circumstances
 - The property has become under-occupied
 - The property is significantly over-crowded, and a larger property is required
 - The property was allocated to meet a specific need which is no longer present, e.g. a member of the original household had a disability but no longer lives there
 - The terms of the tenancy have been breached, i.e. neglect of property, rent arrears or anti-social behaviour
13. The Council does not support the provision of fixed term or flexible tenancies in sheltered housing or other special needs housing meeting long term needs, where a secure tenancy will usually be offered after the expiry of the initial introductory tenancy.
14. The Council is committed to provide equality and fairness in all its dealings with members of the community. This Policy is not intended to discriminate on grounds of age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief, sexual orientation, and marriage or civil partnership. The Council will monitor the effectiveness of this Policy, including its impact on different populations in the community.
15. The Council will keep its Allocation Policy under regular review. Before implementing any major changes to the Allocation Policy (such as any amendment affecting the relative priority of a large number of applicants or a significant alteration to procedures), the Council will ensure all of our key stakeholders have a reasonable opportunity to comment on the proposals. We will:

- Bring the change to the attention of those applicants likely to be affected by the change
- Send a copy of the draft scheme, or proposed alteration, to every Registered Provider with which it has nomination arrangements, and to our other key statutory and voluntary agency partners

Eligibility and qualification for the Housing Register

16. You can join the Transfer list if you are tenant of Brentwood Borough Council or if you are with a Registered Social Landlord and were nominated to their current tenancy by Brentwood Borough Council or you successfully made an expression of interest for a Registered Social landlord's property advertised via the Council
17. You are eligible to join the Home Seeker List:
 - If you are aged 18 and over (see paragraph 18 for exceptions)
 - If you are a British Citizen who has lived continuously in the UK (see paragraph 19 for exceptions)
 - If you do not own a property (see paragraph 20)
 - If we consider you to be in housing need (see paragraph 21)
 - If we consider you to have a local connection to the Borough (see paragraph 25)
 - If you have the capacity to maintain a tenancy (see paragraph 23)
 - Unless we consider that you or a member of your household have behaved in an unacceptable way which would make you unsuitable to be a tenant (see paragraph 28).
 - Unless you have given us false or misleading information in an attempt to join the Housing Register. In such circumstance, you will be ineligible to join the Housing Register for a minimum of one year
18. If you are under the age of 18, you will not normally be accepted onto the Housing Register unless;
 - An exception may be if you are aged between 16 and 17 years and the Council has a duty under the Homelessness Legislation or other exceptional circumstances. In such circumstances, a responsible guarantor is likely to be required who will guarantee you will abide by the tenancy agreement.
 - However, in most cases, if you are aged under 18 years old and are not supported by a family or guardian and are without adequate housing or support, you will be eligible for an assessment by Essex County Council to establish whether you are a "Child in Need" under Section 20 the Children Act 1989. If so, you will be the responsibility of Essex County Council to accommodate.
19. If you are a British citizen who has not lived continuously in the UK, or you are a non-British citizen, you may qualify for the Housing Register, depending upon whether you satisfy the statutory Eligibility Test. We will publish a separate document *Allocation Policy: Statutory Eligibility Test*, which will be regularly updated.

20. If you own a property you will not be able to join the housing register unless you cannot resolve your housing need by using or selling your property.
21. We consider you to be in housing need if your financial means is not sufficient to purchase or rent a home on the open market of a suitable size for your household. (financial means includes your available income, equity, savings and mortgage borrowing capacity) and:
- Your current home is unaffordable or
 - The size of your current accommodation is not of sufficient size to reasonably meet your needs or
 - You are unable to adapt your current accommodation to meet your mobility or medical needs or
 - You are considered to be statutorily homeless and have a priority need or
 - You are in private rented accommodation, have been served a valid notice to quit or
 - You live with friends or family, but you only have the right to occupy the home you are living in with the householder's agreement or
 - You do not have any accommodation available to you.
22. We will publish a separate document *Allocation Policy: Financial Means To Purchase or Rent* which will set out our estimates of financial means required for an open market purchase, and which will be regularly updated. However, we will assess each case according to individual circumstances.
23. We consider that you have a local connection with the Borough if:
- You have lived in the Borough through your own choice continuously for the last 6 out of 12 months;
 - You have lived in the Borough through your own choice for 3 out of the last 5 years;
 - You have a strong family connection to the Borough³ and your family have lived in the Borough through their own choice for the last five years. If you are of pensionable age and immediate family members live in the Borough but have been here for less than five years and there is a proven need for you to live near them for support, this residence requirement for family members may be reduced;
 - You have an urgent housing need and have served in HM Forces; or,
 - You have recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of your spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service;
 - You are serving in the regular forces and are suffering from a serious injury, illness or disability which is attributable (wholly or in part);

³ Normally through active links with your parents, adult children, brother or sister. We may take other family connections into account.

- You are serving or have served in the reserve forces and are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to your service.
 - You have been accepted as part of a witness protection recommendation by the Police.
24. Residence in the Borough must be by the person's own choice so people who have been placed into residence in the Borough (e.g. in a foster placement, supported housing, or detained through the Mental Health Act) will not be accepted as having a local connection.
25. You will retain a local connection with the Borough if you meet the residence qualification detailed in Paragraph 23 above, but you are temporarily living outside of Brentwood whilst:
- You are receiving medical or respite care;
 - You are living in supported housing;
 - You are studying at a school, college or university;
 - You are serving a custodial sentence, or adhering to bail conditions;
 - You have been provided accommodation outside of the Borough pursuant to a duty under the homeless legislation including a homelessness prevention or discharge of homelessness duty. Residency time accrued under this arrangement will be regarded as equivalent in all respects that of residency within the Borough;
 - You are a care leaver and have been placed outside the Borough.
26. The Homelessness Reduction Act 2017 and related Code of Guidance requires that a 'reasonable preference' should be given to those who are homeless or are owed specific homelessness duties, as set out in section 166A (3) of the Housing Act 1996. This will now include 'reasonable preference' to people who are owed a 'prevention' and/or 'relief' duty (as per ss. 195 (2) and 189B of the Homelessness Reduction Act 2017).
27. Those applicants who are owed a 'prevention' and/or 'relief' duty will be able to join the Housing Register to try and deal with their homelessness. Once either duty ceases then eligibility to remain on the Housing Register will end (unless a Local Connection has been evidenced as per paragraph 23 above).
28. In considering whether you have the capacity to maintain a tenancy, we will make a determination on a case by case basis. We will need to know whether you have any physical or learning disabilities or mental health or other medical factors. If so, we will consider whether they affect your ability to maintain a tenancy or if you would be able to maintain a tenancy with provision of appropriate care and support. In making our assessment, we will have full regard to the Equality Act 2010 and other relevant legislation and good practice. We will seek the advice of appropriate professionals and support groups.

29. If we consider that you can only maintain a tenancy with support, you must be willing to co-operate with such support as we consider is necessary.
30. We consider that you or a member of your household have behaved in an unacceptable way which would make you unsuitable to be a tenant. This is proven by:
- Conviction of an offence or
 - Evidence which would be presented in court action for possession had a tenancy not ended through other means.
 - An eviction granted by the court because of breach of a tenancy You will be ineligible to join the housing register for a minimum of one year from the date of your eviction unless you can demonstrate that the factors that led to your eviction have been addressed, e.g. repayment of rent arrears.
31. We will take into account all relevant factors such as health, dependants and the individual circumstances of the applicant when making decisions based on reasonableness and proportionality.

Prioritisation of applicants within the Housing Register

32. The Council operates a points scheme to assess the priority of each application. All eligible applicants will be awarded points in accordance to their level of housing need.

The points scheme

	Homeseeker	Transfer
Property Conditions		
No inside WC	20	
No bath/shower	20	
No hot water	20	
No piped water	20	
No Kitchen	20	
No Heating	10	
Closing or demolition order	95	95
Property without sole use of garden		10
High Rise Accommodation		10
Category 1 hazard as defined by the Housing Health and Safety rating system (HHSRS):		
Acute overcrowding (excluding deliberate overcrowding e.g. you allow someone to move into your property knowing this will create overcrowding)	50	50
High disrepair assessment where the Council is satisfied that the problem cannot be resolved by the landlord within 6 months and by continuing to occupy the accommodation will pose a considerable risk to the applicant's health.	95	95
Shared Facilities		
Shared bathroom or WC	5	
Shared Kitchen	5	

	Homeseeker	Transfer
Shared Lounge	5	
Lack of bedrooms		
Each bedroom short of that required for size and type of household (based on size of properties allocated), unless evidence exists that overcrowding is deliberate	15	15
Every person in excess of two sharing For every person in excess of 2 sharing a room, (every additional person gets 10 points, for example, 2 further people = 20 points)	10	10
Each year on the list	15	15
Medical and Disability Circumstances		
Category A: There is a critical need to move. The current housing situation is seriously detrimental to health and interferes with quality of life to an intolerable degree.	500	500
Category B: An applicant and/or a member of their household are experiencing serious difficulty as a result of their current housing situation on a daily basis. Moving to alternative accommodation would alleviate the impact on health.	100	100
Category C: An applicant and/or member of their household's health are being significantly affected by their current housing and would improve if they moved. For example, it is difficult but not impossible to move around their home and another type of accommodation would improve their health and/or ability to function.	50	50
Category D: An applicant and/or member of their household's health are being affected by their housing and would improve if they moved. For example, it is difficult but not impossible to move around their home and another type of accommodation would improve their health and/or ability to function	20	20
Category E An applicant and/or member of their household's health are not being affected by their current housing or their health is being affected by their current housing but would not improve by moving to alternative accommodation	0	0
Ground Floor Recommendation only	-	-
A requirement to move from a general needs property or sheltered satellite scheme to an In-House Sheltered Scheme to receive additional support		50
Economic circumstances		
An applicant is currently in employment	20	20
An applicant is currently in employment related training or can demonstrate they are actively seeking	10	10

	Homeseeker	Transfer
employment		
An applicant is receiving a state benefit in relation to a disability or medical need (may include in relation to that of dependent children) and are unable to seek employment due to this	20	20
Under-occupation Applies to existing Brentwood Borough Council tenants and RSL tenants, where Brentwood Borough Council nominated them to their existing RSL tenancy. Points are awarded for the size of the property you are vacating		
4 Bedroom House		3000
3 Bedroom Flat		2000
3 Bedroom House		2000
2 Bedroom Flat		1000
2 Bedroom House		1000
2 Bedroom Bungalow		1000
1 Bedroom Flat		500
1 Bedroom House		500
1 Bedroom Bungalow		500
Policy succession For applicants who qualify for statutory succession but are under-occupying accommodation then both under-occupation and succession points will be added together cumulatively	500	500
Social and Welfare Circumstances Your needs within this factor will be assessed according to the strength of support received from statutory agencies e.g. Social Care, Education Welfare Services or Health Services		
Level 1 In extreme circumstances, normally on police advice for a management move		500
Level 2 Where other statutory agencies have made a strongly supported referral	100	100
Level 3 Households where parents with dependants are forced to live apart and it would be reasonable to consider that they would normally be expected to reside together Or Households where there are dependent children, and one or more child is aged over 10 and of the opposite sex have to share a bedroom	50	50
Level 4 Households with dependent children all aged under 10 and one or more are of different sex have to share a bedroom	30	30
Level 5		

	Homeseeker	Transfer
Households with all dependent children under 10 (same sex) and sharing a bedroom	20	20
Level 6 Households with one dependent child Or Households including a pregnant woman Or Households who are confirmed as accepted to be eligible for a fostering or adoption scheme	10	10
Violence and Threats of Violence If you or a member of your household are in danger from the effects of violence (including racial attacks) or threats of violence or physical, emotional or sexual abuse in your current home and the allegations have been investigated and proven on a balance of probabilities within the last twelve months and it is deemed safe for you to reside or continue to reside in the Borough. Your (points will be reviewed every 2 months	40	40
Lacking Security / Homeless		
<u>Priority Homeless</u> Levels 2 and 3 apply only for those who are eligible, have a priority need, are likely not to be intentionally homeless and are residing in or have a Local Connection (see paragraph 23) to the Brentwood Borough		
Priority Homeless Level 1 Immediately able to remain but could receive short notice to leave at any time. Main examples, HM Forces, Tied tenancy, AST, Institutional Care or license agreement	5	
Priority Homeless Level 2 Applicable to any applicant who is owed the section 195(2) 'prevention' and/or section 189B 'relief' duty as per the Homelessness Reduction Act 2017. The points will be removed if either duty ceases (unless a Local Connection following the cessation of the 'relief' duty has been evidenced by the applicant.	An additional 95	
Priority Homeless Level 3 Homeless Applicant owed a Duty under S193(2) or 195(2) (or the Housing Act 1985 equivalent) (Main duty to homeless or threatened)	100	
<u>Priority Intentional Homeless</u> You are Homeless and owed a duty under S190(2). This covers intentionally homeless applicants but who are in priority need or S192(3) and occupying accommodation secured at the Council's discretion, where not in priority need	50	

	Homeseeker	Transfer
<u>Insecure Accommodation</u> You have been accepted as Statutorily homeless and placed in any form of temporary accommodation secured for you by Brentwood Borough Council and for every week in that accommodation.	For every week in temp accom: 10	
You have been accepted as Statutorily homeless and have secured temporary accommodation in a refuge or supported housing and for every week in that accommodation	For every week in temp accom: 5	
You have been accepted as statutorily homeless and are making your own temporary arrangements, and for every week spent as such	For every week in temp accom: 5	
Supported Housing Schemes The Supported Housing Scheme in which you live has adhered to an agreed protocol with the Council and advises that your have met the move on requirements	200	
Local Connection		
You have lived within the Brentwood Borough for 6 out of the last 12 months or 3 out of 5 years	30	30
You have a strong family connection to the Borough and they have lived continuously in the Borough through their own choice for the last 5 years	15	
You are currently employed in the Borough on a permanent basis (min 16 hrs per week) and have done so for a minimum of 2 years (The employer must be based in Brentwood)	15	
Members of the Armed Forces and former service personnel, where the application is made within five years of discharge	15	
Bereaved spouses and civil partners of members of the armed forces leaving services family accommodation following the death of their spouse or partner	15	
Serving or former members of the reserve forces who need to move because of serious injury, medical condition or disability sustained as a result	15	
Moving within the Borough You need to move to a particular locality in Borough. Where failure to move would cause hardship to yourself or others, for example, to give or receive care, or to take up a particular employment or education opportunity.	15 for the particular locality only	15 for the particular locality only

Medical conditions and disabilities

33. If you are applying for accommodation due to a medical condition, a mobility problem or a permanent physical disability, you will need to provide information about the condition and how it is affected by your current accommodation.
34. Our independent medical adviser will undertake a medical assessment if you believe that your condition is specifically being affected by your current accommodation and a move to alternative accommodation will improve your health.
35. We will ask you to complete a medical self-assessment form. You may be required to provide supporting information and details of your GP, social worker, occupational therapist or other health or social care professional.
36. If you are a transfer applicant and you do not have a six-month clear rent account then your application may not be referred to the Council's Medical Advisor until you do.
37. The assessment will be based on:
 - The affect that your current accommodation has on the medical condition
 - How moving to alternative accommodation will help that condition
38. Following the assessment, we will write to you to confirm the outcome. We may:
 - Award additional points to your application
 - Award a recommendation for ground floor, level access or adapted accommodation.
 - Take no action if the medical condition is not being affected by your current accommodation.
39. If the medical condition changes significantly after the assessment, a further medical self-assessment form should be completed together with any supporting evidence.
40. We will require a reassessment if:
 - You have been awarded a medical priority to move but you have not fully participated in the HomeOption for more than 6 months.
 - You move to alternative accommodation

Welfare and economic circumstances

41. In assessing welfare or financial issues or needs, we will use our discretion and consider each application on its merits. We will have regard to reasonableness and proportionality in deciding whether there is a significant housing need to register an application and to award any additional priority to the application.
42. Following the assessment, we will confirm the decision in writing to you.
43. The Council may award lower points where it has reason to believe an applicant has deliberately contrived their living arrangements.

Operating the Housing Register

Applying for the housing register

44. You must complete an application form for the Council's Housing Register. It can be accessed via the Council's website at www.brentwood.gov.uk.
45. If you need any advice on your eligibility to join the Register or you need assistance in completing the form, on-line advice is available or you may contact us on 01277 312500.
46. Information on the Allocation Scheme will be made available in alternative formats and languages on request.
47. We will register your application from the day we receive it, but we cannot award additional points until the appropriate proof has been received.
48. If you do not include all supporting documentation requested with your application, we will return any original documents to you, and your application will not be registered.
49. A home visit may be conducted at any time to verify information you have provided to us. If you are visited then you should co-operate with the Officer conducting the visit or this may result in a delay in assessing your application.
50. You will be notified within 28 working days of the outcome of your application, specifying your assessed bedroom need and housing need points.

Criminal convictions

51. Applicants will be required to complete the declaration on the application form setting out any criminal convictions, ASBOs or any other type of injunction that relate to the applicant or any person listed on the application. Failure to disclose such information or update the Council in relation to any new convictions may result in the application being cancelled.
52. The Council reserves the right to make any enquiries with any relevant law enforcement agency or any other agency as necessary to verify information stated on an application and to disclose any information in relation to the above to any relevant organisation as deemed appropriate.
53. The Council may conclude that applicants who hold a record as set out above may be deemed ineligible or be suspended from the register (having regard for the seriousness of the offences and their materiality to the possible conduct towards a tenancy granted) or the Council may choose to limit the areas or types of accommodation that an applicant may express an interest in.
54. The Council may also suspend an applicant from expressing an interest in accommodation via HomeOption. In these circumstances the Council may choose to make a direct offer of accommodation to an applicant where they would have sufficient points to do so and would otherwise be eligible for accommodation.

55. This clause is not intended to contravene the Rehabilitation of Offenders Act (1974). Spent convictions covered by this Act do not need to be disclosed.

Deferred applications

56. Your application may be registered and deferred. This means that you will not be able to make an expression of interest for any properties advertised.
57. Your application may be deferred for the following reasons:
- To allow investigation should we be advised of a change in your circumstances, for example, change of address, or there is any change to your household.
 - To allow an investigation, where we believe that fraudulent or deliberately misleading information has been provided.
 - If you currently detained in a HM prison
 - If you are living in tied accommodation or serving in the HM Forces, your application will be deferred until you have received formal notification that you have to leave.
 - If you live in a supported housing scheme your application will be deferred until notification is received that you are nominated for move-on accommodation.
 - If you are an accepted Homeless Household who has been referred to a Parent and Child Project, Brentwood Foyer or other supported housing scheme, your application will be deferred until notification is received that you are nominated for move-on accommodation.
 - If you have been assisted into private rented accommodation via the Council's rent deposit scheme, your application will be deferred for the assured duration of the tenancy.
 - Where you or any adult listed on your application have rent arrears or any other debts owed to the Council.

Change of circumstances

58. You must notify the Housing Needs Team immediately of any change in your housing circumstances, including your address and changes in household size as it may affect the assessment of your application and may result in the withdrawal of any offer of accommodation. You will need to complete an online 'Change of Circumstance' form which is available online at www.brentwood.gov.uk.
59. Changes of address are not automatically passed to the Housing Options Team by other Council departments.
60. If you do not notify us about a change of circumstances, particularly a change of address, your application may be cancelled.

Annual registration review

61. Every year, you are required to renew your application. We will send you a renewal reminder, which should be completed online at www.brentwood.gov.uk. You will also need to return required documentation as outlined online.

62. Your application will be re-assessed under the current Allocation Policy according to your current circumstances. This may result in either a reduction or increase in your points. If you are no longer eligible to remain on the Register and are removed from the Register you will be advised of this in writing.
63. If you do not complete the form within 28 days then you will be sent one further reminder. If you fail to re-register your application will be removed without further notice.

Cancelled applications

64. Your application will be cancelled if:
- You request it
 - You become ineligible for housing
 - You do not return a review application
 - Where you move home and do not provide a contact address
 - When you have been housed
 - If you are a tenant and you have completed a mutual exchange
 - If you have provided fraudulent or misleading information
65. When your application is cancelled, we will write to you to notify you.
66. If you have been highlighted as a vulnerable applicant, we will contact you or your representative to check your circumstances before cancelling your application.
67. If your application has been cancelled you have the right to request a review of that decision (see Paragraph 126)
68. If you wish to re-apply to the housing register at a later date your new effective date (see paragraph 45) will be the date you re-apply.

Confidentiality and access to information

69. A housing application is confidential between you and the Council. We will not discuss your application with any third party, including family members, advisors or advocates unless you have given us written consent to do so. The only exceptions to this are:
- Where we are required by law to make such disclosures or in accordance with an information sharing protocol (e.g. to the Police in connection with the prevention and detection of crime)
 - As part of the processes to verify data supplied by you
 - Where you have particular support needs without which you would not be able to maintain a tenancy.
 - To the landlord of housing to which you are nominated
70. You have the right to request from us any information which will help you to understand:

- How your application has been assessed under this Policy, including in particular whether you are likely to be regarded as a member of a group of people who are to be given reasonable preference.
 - Whether accommodation appropriate for your needs is likely to be offered to you
71. Housing applicants have the right to request from the Council any information regarding the facts of their case which is likely to be, or has been taken into account in considering whether to allocate accommodation to them. Requests for access to information held must be made in writing to the Head of Housing.
72. We advertise homes available on HomeOption, our choice-based lettings system
73. Properties will be advertised on a fortnightly basis by the following means:
- Website – Applicants will be able to view all properties via www.homeoption.org, and express interest for properties of their choice.
 - Town Hall – Personal computers are available in the Town Hall for applicants to view and express interest in properties.
 - Property listings – Are available on request from the Town Hall or local libraries.
74. The advertising cycle carries a strict deadline; if expressions of interest are made after closure of the cycle then they will not be considered.
75. Applicants are able to make three expressions of interest per cycle in the following ways;
- Internet via www.homeoption.org
 - Automated telephone system
 - Text Message
76. In some cases, vulnerable applicants will be contacted directly by Housing Needs staff to provide assistance, and staff will make expressions of interest on their behalf.
77. Adverts will provide as much information as possible about the property (where known) and who is eligible to express an interest.
78. Applicants may express interest for homes according to their following bedroom need.

Bedroom entitlement	
<u>Homeseekers</u>	<u>Transfers</u>
<u>One bedroom need</u> Couple or single person Couple or single person & pregnant	<u>One bedroom need</u> Couple or single person Couple or single person & pregnant
<u>Two bedroom need</u> Couple or single person with 1 dependant child Couple or single person with 1 dependant child & pregnant Couple or single person with 2 dependant	<u>Two bedroom need</u> Couple or single person with one child Couple or single person with one child & pregnant Couple or single person with 2 dependant children both under 10 (same

Bedroom entitlement	
<u>Homeseekers</u>	<u>Transfers</u>
children (same sex) Couple or single person with 2 dependant children both under 10 (different sex)	sex)
<u>Three Bedroom need</u> Couple or single person with 2 dependent children and one aged over 10 (different sex) Couple or single person with 3 or more dependent children (any sex)	<u>Three bedroom need</u> Couple or single person with 2 dependant children one aged over 10 (same sex) Couple or single person with 2 dependant children (any sex) Couple or single person with 2 dependant children (any sex) & pregnancy Couple or single person with 3 children (any sex) Couple or single person with 3 children (any sex) & pregnancy
<u>Four Bedroom need</u> Not applicable unless family would be statutorily overcrowded in a three bedroom property	<u>Four bedroom need</u> Couple or single person with 4 or more children (any sex) Couple or single person with 4 or more children (any sex) & pregnancy

79. An applicant may choose if they wish to express an interest on a property which is one bedroom short of their assessed need. However, RSL partners will reserve the right to refuse a nomination if they consider this will result in overcrowding. If this property is refused it will not be considered as a reasonable offer (paragraph 124 refers).
80. Dependent children are defined as those for whom the applicant would normally receive Child Benefit, and who are living with the applicant as their main home
81. Other persons are regarded as adult members of the household
82. The term dependent child includes children who are adopted or otherwise defined in legislation but does not include children who do not live permanently in the applicant's home or who have their main home elsewhere (e.g. access arrangements).
83. From the Transfer Register, most applicants can express expression on any type of property, which are advertised.

Bungalows

84. Priority will be given to those on the transfer register when allocating a property of this type unless where specified, further preference for this type of accommodation may also be given to any applicant with a need to move to ground floor accommodation on medical, mobility or disability grounds.

Sheltered bungalows

85. Priority will be given to those on the transfer register when allocating a property of this type. No additional preference will be given to applicants who require ground floor accommodation.

Ground Floor Properties

86. Applicants on both the Housing Register and the Transfer Register will be able to make expressions of interest for ground floor flats with a self-contained garden. However, preference for this type of accommodation may be given to transfer applicants with a specific need to move to ground floor accommodation on medical, mobility or disability grounds.

Four-bedroom properties

87. There are very few four-bedroom properties and it is likely to be necessary for you to consider expressing an interest for a larger type of three- bedroom property.
88. Only Transfer Applicants may express an interest in houses. Homeseekers may only express an interest in flats or maisonettes due to the relatively small number of houses or bungalows within the Borough, and the high demand for transfers to houses or bungalows from existing tenants of the Council or Council Nominated Tenants of Registered Landlords who may have been waiting a considerable number of years.
89. Exceptions:
- Homeseekers who are over 65 years (55 years for some housing association Sheltered properties) may also express interest in Sheltered Accommodation. However, this is subject to assessment that they do have support needs that can only be met by sheltered accommodation.
 - Homeseekers who are over 65 years (55 for some housing association Sheltered properties) may express interest in sheltered bungalows; however, priority will be given to transfer applicants.
 - Homeseekers that have a medical need for a particular type of property that is suitable for adaptation or who have been assessed by the Council's Independent Medical Advisor as requiring solely ground floor accommodation will be able to express interest in non-sheltered bungalows. However, priority will be given to transfer applicants.
90. A Home seeker may choose if they wish to express an interest on a property which is one bedroom short of their assessed need; however, RSL partners will reserve the right to refuse a nomination if they consider this will result in overcrowding.
91. The point's scheme determines the offer after the expression of interest cycle closes. However, there is an exception where a property is advertised giving priority to those with a medical need for a particular type of property, i.e. ground floor or specifically adapted for those with mobility/disability needs.
92. Joint Introductory tenancies will only be offered to:

- Married couples or civil partners provided that both are named on the application form
 - Unmarried couples, or those living as civil partners who can demonstrate a relationship similar to marriage or a civil partnership, providing that both request it and both partners are registered on the application form
93. Re-housing of dangerous offenders will be carried out in full consultation with other relevant agencies to minimise the risk to the public and to influence successful long-term resettlement of the offender, thereby also minimising the risk of re-offending.

Transfer applicants

94. If you are a tenant of Brentwood Borough Council any offer of accommodation will be subject to your property having passed a 'home inspection' to ensure that the property can be immediately re-let without remedial works or decorations being done. If it is considered that you have caused any damage or re-decoration is required after the inspection and you have moved out, the cost of the works will be recharged to you. Any future transfer will be subject to you clearing any debt owed to the Council.
95. If you are a tenant of Brentwood Borough Council or RSL you will not normally be made an offer until the rent account for your current home has been clear for six months immediately prior to an offer being made. Any other debt owed to the Council or other RSL/Social Landlord, including but not limited to, sundry debtor account or court costs account relating to the tenancy of your home or garage must also be clear.
96. If you are a tenant of Brentwood Borough Council and you have rent arrears or any other debt owed to the Council but you wish to downsize to smaller accommodation, thereby freeing up larger size family accommodation then the under-occupation allowance will be paid less any outstanding debts owed.

Sheltered housing

97. Sheltered Housing Schemes are independent living. Homes are connected to an alarm system, which is responded to by the Scheme Manager or the main control centre.
98. Usually only applicants over 65 years of age are able to make an expression of interest for Sheltered Housing. However, there may be certain circumstances where younger applicants with support needs can be considered for sheltered housing. There are some housing association schemes that accept applicants over the age of 55. When the properties are advertised the age criteria will be clearly identified.
99. The Council's Sheltered Accommodation falls into broad types:
- Properties within a sheltered housing flat block ('in house' schemes). Most in house schemes offer the added reassurance of a Scheme Manager living within the building, and a range of supportive communal facilities and additional security. This type is more suited to those with higher support needs.

- Properties separate from the in-house scheme, but grouped in small clusters (“satellite” schemes). These homes are still linked to the alarm system. There are no or very limited communal facilities.

100. If we think you may be suitable for sheltered housing, we will visit you and carry out an assessment to see what would suit your needs best. If you live outside the Borough, we will visit you at your relative’s address or asked to attend one of the sheltered schemes. If you have a partner who is under 60 years of age, your application will be assessed to see if you are both suitable for a sheltered scheme.
101. Once the assessment has been completed you will be advised in writing which type of accommodation you will be able to make an expression of interest for under Choice Based Lettings. If we do not think sheltered housing will meet your needs, we will suggest alternative housing options.
102. For In-House and Satellite Schemes, you must normally be 65 years or over with the exception of some RSL Sheltered Schemes. Following receipt of an application you will be required to have a sheltered housing assessment to determine your suitability for Sheltered Housing.

Extra care accommodation

103. Some schemes offer even more on-site support, such as 24-hour on-site carer support. If you require extra care accommodation, your application will be considered by a multi-agency panel to assess your eligibility. This will also include an assessment of your needs by Social Care.
104. Vacancies in extra care schemes will be allocated to suitable applicants outside of HomeOption.

Adapted properties

105. Properties particularly designed for or accessible to people with disabilities will be clearly marked on HomeOption. If your housing needs are of sufficient priority and you have an identified requirement that has been assessed by the Council’s Medical Advisor you will be given priority when expressing an interest for these properties.
106. Where more than one such expression of interest is received for a particular adapted property, the normal points and medical assessment criteria will be used to decide who will receive the offer.
107. All applicants who need a home suitable for wheelchair users will need to provide a report from an Occupational Therapist before an offer can be considered.

Viewing and offers

108. After the close of the advertising cycle, a shortlist of eligible applicants will be compiled. The shortlist will identify the order of applicants with the highest priority in regard to their points. In the event that two or more applicants have the same priority points then preference will be given to the applicant that has been on the register longest.

109. The successful applicant will be invited to view the property. In some cases, properties are advertised in advance to them being 'ready to let', so applicants may not be able to view the property immediately. In this instance, an applicant will not be able express interest in any other properties whilst they are still 'under offer'.
110. When you express an interest, you must ensure that if you are successful you can view the property as soon as possible when we contact you. If we cannot contact you, or you cannot view, then we may have to bypass you for that offer.
111. In exceptional circumstances, we may decide not to offer a property to an applicant who would otherwise be successful if it is considered by doing so could put any person at risk of harm.
112. We may withdraw an offer of accommodation if:
- There has been a change in your circumstances
 - You are assessed as not eligible for the property
 - An error has been made in the advertising criteria
113. Joint tenancies will normally be offered to couples where marriage, civil partnership or a committed partnership is shown. A committed partnership will be shown by a long-term commitment to the home, for at least twelve months. The Council will need to be assured of the likely continuance of a partnership, and that there will be no adverse legal implications from a joint tenancy for good use of the housing stock and the ability to provide housing need.
114. We must not grant a joint tenancy to two people if any one of them is a person from abroad who is ineligible. While ineligible family members must not be granted a tenancy, they may be taken into account in determining the size of accommodation which is to be allocated.

Exceptional circumstances

115. In exceptional cases there may be a need for urgently allocating a property to someone who is not able to deal with the usual requirements of Choice Based Lettings. In such circumstances the applicant will be matched to a property outside the normal expressions of interest process.
116. This applies to but is not limited to:
- Severe Harassment / intimidation requiring urgent re-housing, strongly supported on Police advice (management moves)
 - National Witness, mobility/multi-agency protection panel cases
 - If you have to move out of your council property to allow major repairs to be completed. (You will then return to your original home upon the completion of repairs)
 - Properties allocated as a service tenancy (e.g. accommodation provided to staff resident in sheltered housing schemes)
 - Properties allocated as temporary accommodation on a non-secure tenancy basis (e.g. accommodation provided to homeless households)

- Properties leased to other agencies or organisations for specific housing or tenant purposes
- Decants for tenants whose homes are to be demolished, re-developed or undergo major refurbishment and a move will be a permanent one.
- Emergency Re-Housing, as a consequence of fire or flood
- Persons requiring a specially adapted property
- Hard to Let properties

117. Other circumstances that may fall outside of the Allocations policy are:

- Assignments of tenancies by mutual exchanges
- Tenants transferring from Introductory to secure tenancies in the same property
- Assignment of tenancy by succession
- Where court orders are made under one of following; Matrimonial Causes Act 1973, Matrimonial and Family Proceedings Act 1984 or Children Act 1989

118. The Council may discharge any homeless duty owed to an applicant into private rented accommodation. Due to the limited supply of affordable private rented sector accommodation available in the Borough this may include properties adjacent to the Borough. When considering this option, the following will be taken into account:

- Schooling requirements
- Employment within the Borough
- Impact on financial circumstances of an applicant
- Medical or health circumstances of an applicant
- Support requirements

Bypassing of Offers

119. Any bid placed for a property on the Choice-Based Letting ('CBL') Home Option system will be 'bypassed' unless the requirements of *Annex A 'Allocations: Bypassing'* are met. 'Bypassing' means that the applicant will not be eligible for the allocation of a social housing property for which a bid has been placed.

Time limited categories for expressing an interest

120. Accepted homeless applicants (for whom the Council has accepted a duty to provide permanent accommodation) have a time limit of one month for expressing an interest and are restricted to one reasonable offer of accommodation, should an expression of interest be successful.

121. In addition, this also applies to those not owed a Statutory Homeless Duty but have been awarded additional points for:

- Supported Housing Applicants

- Priority Homeless Level 2 points
 - The Foyer
 - Parent and Child project
122. The Council will consider the following factors if an applicant has not made an expression of interest within two months:
- If there have been any properties advertised that would meet the applicants assessed bedroom need
 - If the applicant has a need for a specific type of property that has not been available in the time period and no other property type would resolve their housing need, for example they have a disability and / or need a ground floor property.
 - If they have received appropriate support in HomeOption.
123. Having considered the above factors, the Council may consider:
- To express an interest on your behalf - Housing Needs Staff will advise you in writing if this is going to happen. If any subsequent expression of interest is successful this will become your one offer of accommodation.
 - Agree to a time-limited extension

Refusal of offers

124. If any applicant with time limited points refuses or does not reply to one reasonable offer of accommodation, the following will apply:
- Accepted homeless applicants: The duty to house you under the Housing Act will end, and your application will be deferred pending re-assessment.
 - Applicants in supported housing schemes: your Supported Housing Scheme points will be removed and your application will be deferred pending re-assessment.
 - Applicants in Parent & Child Projects / The Foyer: Your 'Move On' points will be removed and your application will be deferred pending re-assessment.
 - Applicants awarded Homeless Level 2 points: Your points will be removed and your application will be deferred pending re-assessment.
125. Where any other applicant refuses two reasonable offers of accommodation within 12 months then their application will be deferred for twelve months.
126. Where an applicant refuses an offer, it will be considered as a refusal unless one of the following circumstances applies.
- The size of the property is not suitable in accordance to Policy
 - The Applicant has significant medical needs that render the property unsuitable, which is supported by the Council's Medical Advisor.
 - The offer is in an area whereby the applicant may be at significant risk of harm and there is supporting Police evidence.

- The property is in a location which will prevent reasonable access to family support or specialist medical or health facility where a member of the household has a severe long-term limiting illness or permanent or substantial disability where their quality of life or health would be severely affected.
- The property is in a location which will deny reasonable access to a specialist education establishment for a member of the household who has particular special educational needs which would result in severe deterioration in that person's wellbeing.
- The acceptance of a property may cause proven financial hardship

127. In exceptional circumstances the Head of Housing may exercise discretion to make a further offer of accommodation.

Your right to review our decisions

128. You will be given a written decision on your application to join either the Housing Register or Transfer Register. If you are not accepted onto either Register because it is deemed you fall into an ineligible category, you will be advised in writing for the grounds for refusal and you have a right to request a review of that decision.

129. You have the right to be notified in writing of any decision not to give you preference under the allocations scheme because of unacceptable behaviour serious enough to make you unsuitable to be a tenant. On request, you are entitled to be informed of any decision, about the facts taken into account in considering whether to award reasonable preference. You have a right to request a review of that decision. You will be informed of the outcome of the review and the grounds for it.

130. You also have the right, on request, for information from the Council about any decisions on the facts of your case that are likely to be or have been taken into account in considering whether to make you an allocation. You have a right to request a review of that decision. You will be informed of the outcome of the review and the grounds for it.

131. Any appeal must be made in writing to the Head of Housing within 21 days of the decision. If an applicant is unable to appeal in writing an appeal interview must be arranged. The applicant may enlist the support of an advocate or advice agency to assist with a review. The Council will reply to the appeal in writing, giving reasons for changing or upholding the original decision within 56 days.

132. If you are not satisfied with the response received regarding any decision or review request, then you can make a complaint to the 'Council's Complaint's Co-ordinator who will conduct an independent review of your case. If you are still not satisfied with the response after the Council has fully investigated your complaint then you can request the matter is referred to the Local Government Ombudsman.

Fraud

133. It is an offence under Section 171 Housing Act 1996 if, in seeking assistance with housing from the Council, you:

- Knowingly or recklessly give false information to the Council or

- Knowingly withhold information, which the Council reasonably requires you to give in connection with your housing application.
134. If you are found guilty of such an offence, you could be liable to a fine, currently a maximum of £5,000 and could also result in:
- Criminal prosecution or caution;
 - Cancelling of the housing register application. You would not be allowed to re-apply within 12 months.
 - Possession proceedings for any tenancy you have obtained as a result of giving or withholding false information or withholding information.

Housing advice service

135. The Housing Options team provides free, expert housing advice to any individual eligible for housing assistance as per the Housing Act 1996. This is available whether you own your home/are a leaseholder, privately rent, rent from the Council (or a Housing Association) are looking for somewhere to live - or are homeless now. We'll help you explore your choices in a clear way. You will need to complete a separate 'Housing Advice Request' form available online at www.brentwood.gov.uk.
136. We aim to prevent homelessness, to raise awareness of housing rights and responsibilities and to improve the quality of all types of housing in the community.
137. Whatever the circumstance, we will treat everyone with sensitivity and respect.
138. We'll help you explore your choices in a clear way. Sometimes a longer, private interview is best and we'll suggest a further appointment. With your permission, we might talk to your landlord, mortgage lender or family. We'll tell you about other helpful organisations and how to contact them.
139. It will help us to advise you quickly if you bring along as much evidence as possible - for example a tenancy agreement, letter from your landlord or mortgage lender and so on.
140. Proof of your income is useful too. Where you have an entitlement to any benefit, we'll make sure you are receiving as much as possible.
141. If you're a landlord, please bring in as much background information as you can.
142. If you've come from another country, please bring your passport or letter from the Home Office or any other information about living/working here in the U.K.

Other affordable housing solutions

143. The Council has nomination rights to other "Intermediate Housing Options" which may provide applicants with alternative housing opportunities and may include, but is not limited to:
- Government Home Buy Scheme
 - Low Cost Home Ownership (part rent, part buy)
 - Rent to Buy products

- Intermediate rented accommodation.
144. To apply for the Intermediate Housing Options in Brentwood to which the Council has nomination applicants must:
- Be eligible to register on the Council's Housing Register for details of people who are not eligible to join the Housing Register);
 - Have sufficient income and/or borrowing capacity. The Council will review the cost of the mortgage, rent and service charges and assess ability to sustain these costs based on not more than 30% of a household's gross income being spent on monthly housing costs.
145. Where more than one applicant has registered an interest in purchasing a home the Council will give priority in the following order:
- Transfer list applicants
 - Applicants with the greatest housing need
 - Applicants who have a bedroom requirement for the size of accommodation available
 - A local connection to the Borough
 - Key workers where properties are designated as key worker housing;

Mutual exchanges

146. Mutual Exchanges – This is where two or more tenants 'swap' homes. This can be between Brentwood Borough Council, any other Local Authority or Registered Social Landlord.
147. You may register your property for mutual exchange via the national Homeswappers website www.HomeSwapper.org of which Brentwood Borough Council is a registered Partner.



Annex A

Effective Date:
5th March 2019

Housing Services

--- www.brentwood.gov.uk ---

Allocations: Bypassing

Any bid for a property on the Choice-Based Letting ('CBL') Home Option system may be 'bypassed'. This means that the applicant will not be eligible for an allocation of a social housing property unless the requirements below are met. This Annex to the Allocations Policy 2014 will act as an operational protocol for 'bypassing' as outlined in the Policy and will be adhered to in all but the most exceptional of cases, which may only be deemed so by the Housing Services Manager.

The rules below are dependent on the individual application status and only 1 category will apply to each applicant. Please note that joint applications are dealt with in the same manner as sole applications. The 'current policy' rules below are the ones which will be applied from adoption by Committee on the 5th of March 2019.

Transfer List Applicants	
Former Policy	Current Policy
<ul style="list-style-type: none">• A Transfer List applicant must have maintained a six-month clear rent account to be offered an alternative property.• All Former Tenant Arrears (FTAs) owing to the Council must be cleared in full at the point of offer.• All Council Tax and Sundry Debts owing to the Council must be cleared in full at point of offer or a proportion of arrears must be made (by agreement) and a repayment arrangement made.	<ul style="list-style-type: none">• A Transfer List applicant must not have fallen into arrears of more than one month's net rent liability in the previous six months.• All Former Tenant Arrears owing to the Council must be cleared in full at point of offer.• The applicant must state in writing an affordable repayment arrangement they will adhere to for all Council Tax and Sundry Debts. (Housing Services will pass this written agreement to the relevant department).

Home Seeker Applicants	
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Former Policy

- Any former tenant arrears must be cleared in full at point of offer.
- All Council Tax and Sundry Debts must be cleared in full at point of offer or a proportion of arrears must be paid (by agreement) and a repayment arrangement made.

Current Policy

- Any former tenant arrears must be cleared in full at point of offer.
- The applicant must state in writing an affordable repayment arrangement they will adhere to for all Council Tax and Sundry Debts. (Housing Services will pass this written agreement to the relevant department).

Home Seeker Applicants	
<ul style="list-style-type: none"> - Homeless Applicants - Currently residing in Council Temporary Accommodation 	

Former Policy

- Applicants must clear any current and former tenant arrears at point of offer.
- Applicants must clear current and former court costs.
- All Council Tax and Sundry Debts must be cleared in full at point of offer or a proportion of arrears must be paid (by agreement) and a repayment arrangement made.

Current Policy

- Applicants must clear any current and former tenant arrears at point of offer OR agree for any debt to be transferred to the new rent account.
- Where a debt has been transferred the applicant must state in writing an agreed affordable repayment arrangement.
- The applicant must state in writing an affordable repayment arrangement they will adhere to for all Council Tax and Sundry Debts. (Housing Services will pass this written agreement to the relevant department).

Home Seeker Applicants

- Homeless Applicants
- NOT residing in Council Temporary Accommodation

Former Policy

- Applicants must clear any current and former tenant arrears at point of offer.
- Applicants must clear current and former court costs.
- All Council Tax and Sundry Debts must be cleared in full at point of offer or a proportion of arrears must be paid (by agreement) and a repayment arrangement made.

Current Policy

- Applicants must clear any former tenant arrears at point of offer OR agree for any debt to be transferred to the new rent account.
- Where a debt has been transferred the applicant must state in writing an agreed affordable repayment arrangement.
- The applicant must state in writing an affordable repayment arrangement they will adhere to for all Council Tax and Sundry Debts. (Housing Services will pass this written agreement to the relevant department).

Other Reasons for Bypassing

The other reasons why a bid on the CBL allocations system may be bypassed are as follows:

Property-Based Reasons

- A property is purpose built or significantly adapted for a person with a disability.
- A property or properties are subject to a Local Lettings Plan and certain groups of applicants may not be eligible for a nomination. (The Local Lettings Policy will be agreed between Brentwood Borough Council and the Registered Provider whose property is being advertised).
- The property is ground floor, to ensure it is occupied by an applicant with a recognised medical need for ground floor accommodation.
- Other reasons why a sensitive allocation is necessary.
- An offer of a particular property, if in conjunction with the Police / Probation it is deemed necessary for such a restriction to safeguard public interest, having regard to community safety and cohesion.

Applicant-Based Reasons

- Existing tenants, whose existing property has been specifically adapted for their needs or a member of their household, may only express an interest in suitable properties that may accommodate their medical need at no further cost to the Council.
- The property is not in accordance with the applicant's assessed medical needs.
- An applicant has pets and the property is not suitable or not permitted for pets.
- A nomination is refused by an RSL as would not meet their rules concerning household size, pet ownership etc.
- Outstanding council tax or housing benefit in relation to any property.
- Non-payment of re-chargeable repairs.
- Non-payment of Bed & Breakfast or temporary accommodation arrears.
- Non-payment of any former rent arrears, service charges or any legal costs as a result of previous actions relating to any former tenancy or leasehold.
- Non-Payment of Removal costs.
- Money owed from the Rent Deposit Scheme.
- Non-payment of any loan paid by the Council in regard to any previous private tenancy.

- Council Tenants actively seeking to buy their existing home under 'Right to buy'.
- A former tenant of any other local authority or RSL who has any type of outstanding debt owed.
- The Council is satisfied that an applicant or member of the household is guilty of unacceptable behaviour, which is serious enough to make them an unsuitable tenant.