

## Access to Housing Policy

### 1.0 Policy statement

1.1 Stonewater is an ambitious social housing provider with a mission to deliver good quality, affordable homes to people who need them most. We manage properties for general rent, shared ownership and sale, alongside specialist accommodation such as retirement and supported living schemes for older and vulnerable people, foyers, safe accommodation and refuge services for survivors of domestic abuse and a refugee response service.

### 2.0 Policy scope and objectives

- 2.1 This policy applies to allocations made by the Stonewater group and sets out how we allocate our homes and the criteria we use. Unless specifically detailed, any reference to Stonewater applies to all companies within the group.
- 2.2 It applies to all Stonewater lettings including General needs new-build first lets and re-let homes, retirement living, domestic abuse safe accommodation and supported housing.
- 2.3 This policy does not apply to customers who are required to move as part of a redevelopment or regeneration programme. However, we will take this policy into account when preparing our alternative housing offer to those customers.
- 2.4 This policy does not apply to temporary moves offered to customers under our Decant Policy.
- 2.5 The types of rent and tenancies that we offer are set out in our Rent Setting and Review Policy and Tenure Policy respectively.
- 2.6 The Policy aims to ensure that Stonewater:
- Makes decisions to let all homes in a transparent and ethical way
  - Ensures that both existing and potential customers can access the letting service, taking account of reasonable adjustments required
  - Provides support to applicants with clear and relevant advice about housing options to enable them to make informed choices
  - Makes the best use of its homes, ensuring that lets are compatible with the purpose of the housing, aligning customer need with the availability of homes
  - Facilitates sustainable tenancies and communities
  - Minimises letting periods and the number of empty homes, ensuring the best use of Stonewater's resources

- Maintains a customer centric approach in the letting of its homes, ensuring homes are allocated to those who fall within our charitable aims and whose housing needs are not met by the private sector
- Complies with all legislative, regulatory and contractual requirements in the allocation of our homes
- Builds and maintains proactive relationships with local authority partners
- Only asks for information necessary to allocate property and treats all information confidentially in line with General Data Protection Regulations
- Makes decisions in accordance with the requirements of the Equality Act 2010. Stonewater will not discriminate against customers on the grounds of their age, disability, gender reassignment, marriage or civil partnership status, pregnancy or maternity status, race, religion or belief, sex, or sexual orientation.

### **3.0 Regulatory and legal considerations**

- 3.1 The Regulator of Social Housing stipulates that registered providers shall ensure effective governance arrangements that deliver their aims, objectives and intended outcomes for tenants and potential tenants in an effective, transparent and accountable manner. Additional information is provided for the allocation of social housing.
- 3.2 Registered providers shall let their homes in a fair, transparent and efficient way. They shall consider the housing needs and aspirations of tenants and potential tenants. They shall demonstrate how they make the best use of available housing, are compatible with the purpose of the housing, contribute to Local Authorities' strategic housing function and sustainable communities. There should be a clear application, decision-making and appeals process.
- 3.3 Our charitable status obliges us to have regard to persons in necessitous circumstances when allocating resources in the form of homes to rent. This document sets out how Stonewater meets regulatory requirements from the above and assists local authority stakeholders in delivering their housing functions.

### **4.0 Policy details**

#### **4.1 How we assign our homes**

- 4.1.1 As a registered provider of social housing, we work with local authorities to provide affordable housing options in the areas that we operate.
- 4.1.2 We do this by providing all new build general rented properties as well as a percentage of homes available through re-let to applicants from local authority Housing Need Registers. The actual percentage is agreed with each local authority area and set out in a nominations agreement.
- 4.1.3 Where homes have been developed or funded with a specific purpose, such as dedicated to members of the armed forces, for key workers, temporary accommodation or in cooperation with the Home Office or other government

body to provide emergency, refugee or other accommodation, we may take direct nominations outside of any nominations agreement.

- 4.1.4 There are occasions where we have exhausted any housing need, in these cases we will seek applications for our homes by other routes. We may advertise through letting agencies and major UK property websites such as Rightmove or other national agencies. We may also take direct referrals from homelessness prevention partners working to move customers across local authority boundaries. When we allocate homes through these routes, we will prioritise on a 'first come first served' basis and apply our eligibility criteria this includes having regard to our charitable status. These lettings are not made purely on a needs basis.
- 4.1.5 Where allocation is made outside of nomination through the local authority, Stonewater accepts full responsibility for ascertaining that the customer has the Right to Rent in the UK, in accordance with The Immigration Act 2014.
- 4.1.6 Aside from exhausting the housing register, we do have occasions where we will allocate our empty homes to applicants working and on low incomes where we are seeking to create sustainable communities. In these cases, we have met the re-letting criteria set out in the planning consents and are free to allocate elsewhere and not on a strict need basis. Where local authorities maintain lower needs bands or can offer direct lettings to working households we will use these avenues.
- 4.1.7 Stonewater holds a list of applicants interested in retirement living properties. We will look at these lists in conjunction with the local authority Housing Register for applicants. These schemes usually have planning stipulations obliging us to offer them to households where applicants are over a certain age, usually 55+.
- 4.1.8 In addition to our housing assessment, we consider other factors such as physical and/or mental health, support requirements and social wellbeing where retirement living could be the appropriate housing solution.
- 4.1.9 There may be occasions where we do not offer a home for re-let, where a direct match of need has been identified with an existing Stonewater customer. This can be to support exceptional or urgent circumstances, commercial business need or to alleviate under occupation or overcrowding.
- 4.1.10 Rent to Buy homes are designed to support customer ambitions to own their own home. As such allocations are not made through the normal channels for our rental homes and properties are advertised on a first served basis with the support of local letting agents.
- 4.1.11 Shared Ownership first tranche properties are sold on a first come, first served basis. The majority of new homes are marketed by local estate agents with support from Stonewater.
- 4.1.12 For shared ownership homes offered for resale, Stonewater market the home on behalf of the seller and are directed by the seller on who they have accepted an offer from. In the instance of multiple offers, Stonewater will support the seller in their decision and referrals for financial assessment will be managed on a first come first serve basis.

4.1.13 Full details of the Shared Ownership application, sale and progression process, including details of financial criteria can be found in the Shared Ownership Sales Policy which should be read in conjunction.

## 4.2 Supported housing and domestic abuse schemes

4.2.1 A range of properties are available for people requiring support and include shared accommodation, specially designed schemes and individual properties that are located throughout our stock. Support arrangements will vary depending on the location and the nature of the project, in many locations we provide support directly whilst in others we work in partnership with locally based support providers.

4.2.2 To enable an applicant to access supported accommodation they must have a need for the type of support available. Applicants can access supported accommodation via a support provider who has identified and assessed their need for this accommodation and their readiness to take up the vacancy.

4.2.3 Within our own directly managed projects we accept referrals from our statutory partners. Other applicants would come via the local authority Housing Needs Register, government or local authority direct nomination, as noted above.

## 4.3 Adapted homes

4.3.1 We have a number of specially adapted homes, for example, properties with through-floor lifts or level access showers. We will work with our local authority partners and other specialist agencies to ensure these properties are let to those with the highest need for this type of accommodation.

4.3.2 All adaptations will be reviewed by our mechanical & electrical team to ensure they remain in reasonable working order and are safe to remain in the home for future use. Any required maintenance contract will be established and the cost of this recharged to the incoming customer via their service charge.

4.3.3 Where possible we will not offer accommodation above ground floor level to applicants where a member of the household has an existing physical disability which would prevent them from leaving the property by the stairs. Due to the shortage of suitable ground floor accommodation, we will assess each let on a case-by-case basis and carry out a Person-Centered Fire Risk Assessment (PCFRA) as required to ensure appropriate evacuation procedures are in place.

4.3.4 Where Stonewater are unable to source an applicant who requires an adaptation that has been left remaining in an empty home, where the adaptation poses a safety risk when utilised by an able-bodied customer, the adaptation(s) will be removed and the home re-let in the normal way. All properties with adaptations will be advertised for two cycles with the local authority prior to Stonewater's consideration of the removal of the adaptation.

4.3.5 Further information surrounding our approach to adaptations can be found in our Adaptations Policy.

#### **4.4 Application and offers of accommodation - Rented**

- 4.4.1 All new applicants, including existing customers, will be asked to complete an application form either digitally or over the telephone. We will also provide application forms in paper form if required.
- 4.4.2 If the application form is not suitable for the needs of the individual, we will provide the information and an appropriate format or language. For example, this would apply to where English is not their first language, customers with partial or sight-loss, hearing impairment, literacy or learning difficulties.
- 4.4.3 Regardless of the process used to find an applicant we will assess all applications and make checks including those to eliminate tenancy fraud, to verify their personal circumstances are in line with our charitable objectives and to ensure the property is suited to their needs. If the checks confirm the applicant is eligible, an offer will be made. If the offer is refused or there is no reply to our contact within the timescales advised, their record is updated and the next applicant on the shortlist will be contacted. This will continue until we have a successful applicant.
- 4.4.4 We will take up references before offering accommodation including for those customers moving from another Stonewater group home. In some cases, we will accept personal declarations where referees cannot be located. We will consider failure to provide references, the provision of false or misleading declarations as equal to providing poor references for the purpose of deciding whether to grant a tenancy and the provision of false information in references as obtaining the tenancy by false statement and would seek to recover possession through the County Court.
- 4.4.5 Where an offer has been made the applicant will be invited to view the property with a colleague available remotely, or in person where customer need requires, who will explain the main features of the home and tenancy and answer any questions. Colleagues will take account of the requirements of applicants with particular issues, vulnerabilities or disabilities when carrying out the viewing and ensure reasonable adjustments are made.
- 4.4.6 Where the applicant is statutorily homeless, we will only make one reasonable offer of accommodation in line with the s.193 Housing Act 1996. Where there is a dispute, we will refer the applicant back to the nominating local authority.

#### **4.5 Eligibility criteria (Appendix 1)**

- 4.5.1 Occasionally there may be circumstances where we will not make offers of accommodation once we have completed our checks to verify the details in an application. When making a decision about this we will ensure that all individual circumstances are fully considered; this would include taking into account an applicant's current and previous tenancy conduct that may impact on our housing management function and their ability to sustain a tenancy, taking note of mitigating circumstances that may have effected previous tenancy, for example, domestic abuse and arrears.
- 4.5.2 There may be instances where we are unable to house a customer in the property, they have been nominated for but could house them in another home, for example due to probation requirements or current issues on the

scheme. Wherever possible we will explain the full reasons behind a decision and aid the customer with sourcing alternative housing options.

## **Appeals**

- 4.5.3 Local Authorities have the right to appeal where an allocation is not made. Where this occurs, Stonewater will work with the local authority in accordance with the terms set out in the nominations agreement to reach mutual agreement.
- 4.5.4 Applicants do have the right to appeal, where they have been nominated to us from a Housing Need Register. This does not guarantee that if successful they will be allocated the property as the lettings process will continue whilst the appeal is being considered. Applicants must bring additional evidence to support an appeal and not just the information we already have used to base our decision on.

## **4.6 Affordability**

- 4.6.1 All applicants for Stonewater properties will be asked to pay a minimum of 1 week's rent in advance of the start of their tenancy. This includes those applicants receiving benefit assistance for their rent. We take landlord and tenancy obligations seriously at Stonewater and believe that getting each new tenancy off on the right foot helps more permanent success. It is a requirement of our tenancies that rent is paid in advance, and paying at the start of the tenancy ensures that customers start their tenancy in the right way. Personal payments of rent in advance alleviate rent arrears recovery action from being taken.
- 4.6.2 Stonewater recognises that most benefits are paid in arrears. Where a customer wishes to pay Stonewater directly from their Universal Credit via an Alternative Payment Arrangement or for their Housing Benefit payment to be made direct, Stonewater will allow the customer to pay in arrears and not take recovery action. These customers are, however, still required to pay their initial tenancy sign up payment in advance. For further details please refer to our Income Management Policy.
- 4.6.3 We want to get all of our new customers the best possible start and will assist them as much as we can during the letting process. There will be cases where we would consider an alternative approach as an exception to normal practice in order to address housing need and ensure we are providing a settled home with support to settle in, where possible.

## **4.7 Rent to Buy**

- 4.7.1 Rent to Buy tenancies are intended for customers who have aspirations to own their own home but have found it hard to save for a deposit whilst paying a market rent. Rents are set at 80% of the rent the property would attract on the open market. The discounted rent is intended to help customers save towards a deposit to secure a mortgage and they have an opportunity but not an obligation to purchase the home outright during or at the end of the agreed term of the tenancy. The following criteria must be met for a rent to buy tenancy to be granted.
- 4.7.2 Applicants must:

- Be aged 18 or over
- Not own a property
- Must not be in arrears with their current rent or in breach of their current tenancy agreement
- Have a household income of less than £80,000, (or the relevant local authority housing register income cap where this is higher).
- Must not have been declared bankrupt, have any County Court Judgements or have defaulted on a loan within the last 7 years.
- Must be in permanent employment or on a fixed term contract of more than 6 months.
- Must have Indefinite Leave to Remain in the UK or Limited Leave to Remain for a period greater than the 'offer of sale' date.

4.7.3 An affordability assessment will be completed. The calculations will be based on information provided by the applicant(s). This will determine if the household income is sufficient to meet the monthly rent and service charge payments required as well as save towards a deposit to purchase. Rent to Buy applicants will be required to demonstrate that they do not currently own a home in full or part and they have the financial means to rent the property at the market rate and secure a mortgage in the future.

#### 4.8 **Tenancies**

4.8.1 All applicants signing up for a Stonewater social rent or affordable rent home will be offered an assured periodic tenancy irrelevant of whether they have held a previous secure or assured tenancy with any local authority or registered provider.

4.8.2 All applicants signing up for a Stonewater Intermediate rent home will be offered a periodic assured shorthold tenancy due to the requirements of the tenure.

4.8.3 All applicants signing for specialist Supported Housing, Domestic Abuse, Key Worker or Temporary Accommodation may be offered a license agreement or Assured Shorthold Agreement in line with the nature of the accommodation type.

4.8.4 Offers are based on the housing application and will be sole or joint depending on how the application was made.

4.8.5 All tenancies will be monitored to ensure that new tenants settle into their homes and communities and manage their tenancy effectively. Stonewater will offer additional support if needed and also take prompt action if tenancy conditions are not met.

#### 4.9 **Local Lettings Plans and S106 Schemes**

4.9.1 At times we will develop Local Lettings Plans for a scheme to support a local area to ensure a balanced community is created or sustained. These might be

developed with our local authority partners as part of the planning consent for a new development or for re lettings.

4.9.2 We will be minded to local connection criteria stipulated in planning covenants for the scheme and will ensure that all allocations made, either through the local authority or directly, meet the requirements set out. Where we believe that criteria may be discriminatory to underrepresented groups, we will raise this with the local authority and local parish council for review.

#### **4.10 Fraud**

4.10.1 Housing fraud is a criminal offence, and anyone found to have deliberately provided false information, or withheld information as part of an application may be prosecuted.

4.10.2 We will take action against tenancy fraud, including working with our partners to ensure all tenancies are obtained without deception or misleading information provided to Stonewater or partner in order to join the relevant housing register. In certain cases, asking our external commercial partners to investigate the allegations of tenancy fraud for us.

4.10.3 A property obtained by deception will be repossessed. If we believe the perpetrator of tenancy fraud has gained financially from their deception, we may seek to recover financial costs and damages from them.

4.10.4 If we discover this type of irregularity at the offer stage, we will withdraw the offer and report the findings to the local authority.

4.10.5 Where we become aware of occupants of a home who have been victims of tenancy fraud, for example, unauthorised subletting, we will support them to source alternative accommodation and may consider an application for direct let under the procedure outlined in this policy. We will only consider this type of application if the person is has lived in the property on a permanent basis as their only home for 12 months and they are eligible for social housing and in priority need.

#### **4.11 Transfers and mutual exchanges**

4.11.1 Registered providers are obliged by Homes England as part of the Tenancy Standard to enable their tenants to gain access to opportunities to exchange their tenancy with that of another tenant, by way of internet-based mutual exchange service. This is the quickest and simplest way for tenants to move and can be undertaken with almost any other housing association or local authority tenant where a secure or assured tenancy is in existence.

4.11.2 There will be criteria relating to how mutual exchanges are processed together with some grounds for refusal. There are only a few, these relate to the size and type of home that a household is planning to move into. For example, a home should not be over occupied.

4.11.3 Existing customers of Stonewater can also apply for a transfer by applying to their local authority via the Housing Need Register. Applications will be assessed in accordance with the local authority criteria. Customers looking for

a transfer should look each week at the properties available in their LA area and express an interest by bidding or directly applying according to the local processes. Existing customers seeking a move into retirement living property can approach us directly and discuss their longer-term housing requirements.

4.11.4 Whether a Stonewater customer is pursuing a transfer or a mutual exchange, a home visit would be carried out to inspect the property to ensure it has been maintained in good order. The applicant will be asked to bring the property up to a good standard and make any repairs which fall under their obligations, prior to any move. An existing customer will also need to have a clear rent account before a transfer, or a mutual exchange is approved.

#### 4.12 **Managed moves**

4.12.1 Stonewater does not operate an internal transfer system or waiting list.

4.12.2 In some emergency cases there will be a need to provide immediate re-housing, and it may not be possible to accommodate a Stonewater customer within the normal arrangements. Managed moves will be considered where there are circumstances that threaten the life or would seriously affect the safety of the tenant or other household members to remain in the property. This may include both physical, mental and emotional harm.

4.12.3 A Managed move will not be approved before other options have been explored. We will look to seek supporting information from relevant external agencies as required, including support workers, Police, specialist medical services.

4.12.4 In addition, there may be occasions where Stonewater recommend a managed move where it promotes the better utilisation of its homes and/or effective management of its schemes.

4.12.5 We would work with the relevant local authority and through their Housing Register, where safe and appropriate to do so. If an urgent move is required due to immediate risk, Stonewater will work with the local authority to accelerate rehousing and provide the applicant with access to the entire social housing stock in the area rather than only Stonewater homes.

4.12.6 Each case will be assessed on merits, and it is not mandatory for a customer to be registered with the local authority to be considered for a management move.

4.12.7 Management moves will be considered and approved by Stonewater's Rehousing Panel.

4.12.8 The majority of moves will be offered on a like for like basis, irrelevant of current housing need (unless in exceptional circumstances). The exception to this is if to do so would result in the housing situation perpetuating or worsening an adverse effect on a customer's medical condition.

4.12.9 Where more than one household needs a 'management move' we will hold a waiting list and offer accommodation on a first come, first served basis. The exception is where there is evidence that the household is at immediate and significant risk of harm. In these cases, we may offer this household accommodation first.

4.12.10 We will make one reasonable offer of accommodation. If this offer is refused the customer will revert to bidding through the local authority.

#### **4.13 Direct lets**

4.13.1 In some cases, following the death of a sole tenant, Stonewater may look to grant a new Tenancy to the remaining occupant(s) of the home, who are not entitled to succeed the existing Tenancy through statutory or contractual succession routes. These cases will be considered on an individual basis and must be approved by Stonewater's Rehousing Panel.

#### **4.14 Customer and stakeholder involvement**

4.14.1 We recognise the importance of working closely with applicants, existing customers and local authority stakeholders to ensure our services are responsive, efficient and sympathetic to local needs.

4.14.2 Whenever a customer terminates their tenancy, we ask the reason for leaving. We will use this information to inform our tenancy sustainability work, and where a customer can be prevented from ending their tenancy through Stonewater action we will endeavour to deliver this, where proportionate to do so.

4.14.3 Each time we sign up a new tenant we will send out a short questionnaire to determine the clarity and responsiveness of the application process including the tenancy sign up process, explanations of the services and utilities connected with a customer's new home.

4.14.4 Local authority partners are important to us. We have ongoing relationships with our Local Authorities, actively engaging at an operational and strategic level. For any Local authority deemed as 'high' priority we will assign a colleague as a specific point of contact to aid the relationship.

4.14.5 For all our new developments we will review each scheme 12-18 months after the final handover is complete and discuss the feedback from the new tenant questionnaire including comments which relate to the application and the new tenant process, and data on how the new customers are settling in.

#### **4.15 Employees, board members and their relatives**

4.15.1 Stonewater will not accept direct rental applications from its employees, board members and their relatives or any individual with a significant personal relationship with an employee or board member.

4.15.2 Any such application for social housing must be made through the relevant local authority nomination scheme. We may make an exception where a direct application is made for a low demand home via an external letting agent or internet-based lettings service. The application will be subject to a greater degree of scrutiny and assessed and approved by a member of the Chief Officers Group in accordance with the relevance governance. There will be no discount of the rent.

4.15.3 Stonewater may receive direct applications for Shared Ownership purchase for employees through the My Own Home scheme. This scheme is available to directly employed colleagues within the Stonewater group subject to criteria detailed in My Own Home Policy.

## **5.0 Service standards**

5.1 Performance in relation to lettings will be monitored through Key Performance Indicators namely average letting time and void loss. These KPIs will be reported at all levels within the organisation as well as Customer Experience Challenge and Assurance Panel and Board. We will also gather transactional customer feedback and report this throughout the organisation including our Senior Leadership Team.

## **6.0 Equality, diversity and inclusion**

6.1 The Equality Act of 2010 makes it unlawful to discriminate against anyone on grounds of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity. Stonewater supports its principles and is committed to the values of equality of opportunity and non-discrimination. Through delivery of this Policy Stonewater will ensure a transparent, ethical and inclusive approach to the way it lets its homes. Through active monitoring and quality assurance Stonewater will ensure that operational service delivery is responsive and flexible to accommodate the diverse needs of customers, making reasonable adjustments as required.

6.2 Further details can be found in our Equality, Diversity and Inclusion Policy and Vulnerable Persons Policy.

**Last issued: 26.02.2025**

**Next review date: 26.02.2028**

## **Appendix One**

At least 50% of our applicants for our general rented stock will be from the local authority's Housing Needs Register often via an operating process like Choice Based Lettings.

Stonewater do operate some lets directly with applicants outside of CBL via letting agencies and major UK property websites such as Rightmove or other national agencies.

We also keep a summary of any interest in our retirement living and Mount Green keyworker homes only. The same criteria are used to assess all applications irrelevant of their source.

We aim to ensure balanced and sustained communities. As such we support the development of local lettings plans or single sensitive lettings in agreement with local authority partners as required. Due to the complexity of each single sensitive let agreement we do not operate these under a single set of criteria but on a case-by-case basis in response to the sensitivities of the property and scheme at the time of let. This may occur where there has been an eviction, ongoing anti-social behaviour or where we have received a request from our statutory partners not to house certain individuals at specific locations.

Where we have new build rented developments where 100% of our applicants will come via the local authority Housing Need Register, we will actively seek local lettings plans in place 6 months before the handover of these schemes.

This policy appendix should be read in conjunction with our Tenure Policy, notably that Stonewater will only offer joint tenancies to spouses, civil partners and partners unless directed to do otherwise by the local authority via the joint nomination made.

We will not grant a joint tenancy to any more than 2 adults, unless in exceptional circumstances and will never grant a tenancy to more than 4 adults. Occasionally, we may grant a joint tenancy to an adult and a minor, provided the adult joint tenant acts as trustee for the minor, as per our Tenure Policy.

### **Eligibility criteria**

While we take applications from the LA, we carry out additional assessments relating to the applicant(s) personal circumstances and history. This is to ensure that we are able to offer those customers the right property at the right time, that they are able to sustain their tenancy moving forward and to eliminate any potential cases of tenancy fraud.

This includes seeking references from previous landlords, support agencies, probation officers and other external partners where required.

In some cases, this may result in a refusal of a nomination which would usually be a deferral to such time as any future tenancy or alternative property is thought to have

a better chance of success due to the applicants changed personal circumstances or better fit to the home. We would discuss these factors with the local authority.

The type of factor could be:

### **Age restriction**

If the applicant is under 18 –

Unless we have the relevant approval and documentation in place from the local authority (including signed confirmation that they act as guarantor or there is another defined guarantor) and that tenancy support will also be provided we would not offer a tenancy to a minor. Stonewater will not act as a trustee.

Planning covenants –

Some planning consents for Housing developments will stipulate an age bar for a scheme or individual letting. These are usually classed as older persons or Retirement Living accommodation and have a minimum age requirement of 50 or 55. Due to the decommissioning of retirement living schemes, we also have age restrictions on some General Needs rented homes.

It will normally be the requirement that all customers meet the age requirement for the property, however Stonewater will review each case on its own merit to assess applications where one tenant meets the requirement or where the property is suitable on health and wellbeing grounds. We aim to work with the local authority and planning in order to ensure that we are able to accommodate applicant(s) suitably where a restriction applies. We will also take note of the impact such an allocation may have on the wider customers community on the scheme.

Some schemes may have an age restriction linked to an ethnicity criterion such as Asian Elders.

### **High support needs**

Applicants requiring a high level of support that has not been arranged /assessed or cannot be arranged in a reasonable timescale to support the applicant into a new home.

There is evidence of sustained multiple and complex support needs and no history of ongoing and sustained engagement with support services. We would normally ask for a minimum of 6 months continued, successful engagement with positive steps made.

Our additional assessments have concluded that the applicant is unable to live independently at this time and appropriate support/assistance cannot be established.

In all of the above we would seek to make future offers of accommodation when circumstances have changed and either the customer is able to sustain their tenancy independently or is receiving the appropriate support to do this.

We will only accept housing applications from someone without mental capacity if the application is for our supported or specialist accommodation and the applicant has a Lasting Power of Attorney (Property) in place, or a Court of Protection Deputy has been appointed.

## **Immigration Control**

Some applicants are not eligible for social housing due to their immigration status. These are defined by the Secretary of State within housing law. A person is subject to immigration control if s/he requires leave to enter or remain in the UK. Every person requires leave to enter or remain in the UK unless s/he is a British citizen or an Irish citizen.

Where an applicant is not subject to immigration control but is unable to supply Stonewater with the documents required in order to satisfy the Government Right to Rent checks they will not be offered a tenancy.

Since 1 July 2021, EU, EEA and Swiss citizens are required to evidence their rights in the UK, including their right to rent, either using their online immigration status (eVisa) or with a physical immigration document.

Stonewater will not ask applicants directly nominated for housing as part of a local authority refugee response, to demonstrate their Immigration status or Right to Rent in the UK as this obligation is discharged to the local authority.

Stonewater will work directly with the local authority to allocate homes to those specifically nominated under the Refugee Response Scheme.

Domestic Abuse services receive referrals for survivors with no recourse to public funds. These services work with specialist agencies and commissioners to access the Migrant Victims of Domestic Abuse Concession (MVDAC) and access legal support to obtain their immigration status.

For customers applying for Rent to Buy homes they must be able to demonstrate Indefinite Leave to Remain in the UK or Limited Leave to Remain for a period greater than the 'offer of sale' date.

## **Anti-social behaviour**

We may exclude applicants with a history of anti-social behaviour, where a member of their household has a history of anti-social behaviour, or they have been a member of a household with a history of anti-social behaviour of which they have been evidenced to be contributing to. This could include eviction, convictions, injunctions, any other enforcement action or continued complaints against them within the last 3 years.

## **Convictions**

We do not automatically consider anyone ineligible for housing if they have a previous conviction. We will ask applicants to disclose any unspent convictions as part of their application for housing with us.

A risk assessment will be made for all cases where an unspent conviction is declared. Applicants may be refused if there is reason to believe that he/she is likely to pose a risk to their neighbours and/or the wider community. The risk assessment will also consider the type of property and suitability of the area to ensure that this does not pose a risk to the customer nominated.

Where a Schedule 1 (those who pose a harm to children) is disclosed or we become aware that the applicant is subject to MAPPA (multi agency public protection arrangements; imposed on registered sexual, violent and/or dangerous offenders) we will work with those supporting the MAPPA to ensure that the proposed property is suitable. Applicants may be refused where the risk is deemed high or difficult to manage. This will apply to both rented and home ownership homes.

We recognise that high risk offenders may themselves become a target of harassment and other crimes. We will ensure that the health and safety of high-risk offenders and their household are taken into consideration. We will ensure that sensitive information is managed securely and will safeguard the rights of individuals regarding confidentiality and privacy. We will only share and disclose information when the law permits and in-line with the General Data Protection Regulations.

## **Debt / Income**

If applicants have been evicted by Stonewater or any other Landlord in the past for rent arrears or other housing debts, assessments will be made as to whether the applicant has made reasonable efforts to remedy this by making and adhering to arrangements to repay the debt.

Stonewater reserves the right to not offer accommodation to any applicant where the debt is currently more than £500, where the applicant is unable to evidence mitigating reasoning for the original incurrence of the debt and/or sustained and ongoing evidence of successfully adhering to a payment arrangement for 6 months or more.

Where Stonewater is able to ascertain that debt is as a result of the customer having previously suffered from Domestic Abuse, we will not take account of the debt as part of the application.

Any Housing related debt repayments will be viewed holistically as part of the overall affordability for the applicant with any other non-housing related debts they may have as well as the rent and household costs.

Housing related debt which was incurred 7 or more years prior will be considered spent and not considered when assessing the application. However, where this debt is owed to Stonewater, we reserve the right to stipulate the customer must pay the outstanding debt in full or reach an agreement to clear the outstanding debt as a condition of the offer of tenancy being granted.

If the applicant's household income exceeds £80,000 per annum or their savings and/or assets exceed £80,000 (or the relevant local authority housing register income cap where this is higher).

Where an allocation cannot be made in accordance with our charitable aims and the thresholds outlined above the applicant(s) would be refused as they would be deemed to afford accommodation in the private sector. For existing customers of Stonewater their tenancy will not come to an end, but they will not be able to move to another Stonewater property.

### **Home Ownership –**

If an applicant is the owner of their own home, then Stonewater would not normally offer them a general needs tenancy.

If nominated via the local authority Housing Register for a general needs home, and the applicant is able to demonstrate mitigating circumstances of why they are neither able to live in that home nor sell it, then Stonewater would treat these applications on a case-by-case basis and may consider offering a tenancy under the condition that the home is sold.

Consideration may be given to:

- If their property has little or no value and they are unable to access affordable housing in the private sector. For example, if they are in negative equity.
- They cannot reside or gain access to their property due to an event which is about to occur. For example, the property is part of bankruptcy proceedings.
- They have a medical condition or disability which requires substantial adaptations to their property which cannot be made in their current home or in the private sector and social housing is the only realistic option.
- They have a specific care need or require specialist support.

Applicants for Retirement Living homes are often accepted onto local authority Housing Registers although they might own their current home. There will be prevailing circumstances such as the home is unsuitable for them and there are no cash funds to address this. We would offer a tenancy to the applicant and ask that the home be actively marketed for sale which must conclude within the first 12 months of tenancy.

We would still have regard to our charitable status when considering these cases and would look to our internal expressions of interest list using the same criteria.

### **Affordability**

A financial assessment, including full credit check will be completed with all applicants, to determine if the proposed accommodation is affordable, both in terms of meeting the cost of the rent as well as other reasonable living costs. An offer may be withheld where there is no reasonable prospect that the applicant will be able to afford the rent and service charge on that specific property. We will take into account customer feedback before making a final decision.

When looking at affordability we take into account current income and liabilities.

Income may be considered from earnings, pensions and other benefits. We may also identify additional entitlements that the applicant may have – that may be used as income if it is considered likely that any application for additional benefits/credits will be successful.

Liabilities may include both household & family running costs and existing debts. The existence of debt may not prevent an offer; however, we will expect the applicant to work with us in order to show they are taking steps to remedy the debt and this will not affect their ability to sustain a tenancy. This can include accessing budgeting and debt advice, as well as repayment plans currently in place. We will make referrals to Cleanslate, StepChange Debt Charity and external agencies for support as required.

Exceptions to the above affordability assessment will be made for any applicant directly nominated for housing as part of a local authority Refugee Response where these applicants do not yet have recourse to public funds. We will work with the local authority to offer a bespoke support package to these customers to help them arrange access to funds to pay their rent.

### **Previous Tenancy Conduct**

The applicant(s) or a member of the household has been evicted, or eviction proceedings have begun by Stonewater or any other social housing provider for breaches of the tenancy agreement.

Legal proceedings for any other breach of tenancy have commenced against the applicant(s) or any member of the household by Stonewater or any other social housing provider. If the applicant(s) behaviour amounts to unacceptable customer conduct caused by excessive demands on our service. This includes but is not limited to numerous incidents of verbal or physical abuse, vexatious complaints and using slanderous or libellous language to customers or colleagues.

We may refuse to move an existing customer if they have not kept to the terms and conditions of their tenancy, including but not limited to; serious deterioration in the condition of the property or refusing access to the property to enable us to conduct safety inspections.

### **Accessibility**

If an applicant fails to respond to our contact concerning their recent bid (or offer made) after 2 consecutive chase contacts over 2 consecutive days or fails to provide the information we require to progress the offer in 48 hours we will reserve the right to skip the application for that vacancy.

## **Property Suitability**

When assessing an application, we will ensure the property itself is suitable for the applicants.

Household size -

All Stonewater properties are given a bedroom number and maximum number of occupants based on the size of the home. Stonewater will not look to offer a tenancy where we believe that the occupants would immediately or in the near future (within the first year of tenancy) be overcrowded, for example through pregnancy.

We will take into account the need for an additional bedroom where:

- The applicant receives support from carers who do not reside with them but are required to stay overnight.
- The applicant is a current or prospective foster carer or adoptive parent(s).
- There are medical reasons for requiring an additional bedroom. We will ask applicants to provide evidence of their need for the additional bedroom.

Stonewater will be led by the Local authority to determine a customer's household bedroom need. Where custody of children is shared jointly, the bedroom allocation will only be given to one parent.

Where a child identifies as a different gender from that at birth which may impact on bedroom allocation if sharing with a sibling, Stonewater will be guided by the local authority policy.

We do not consider a lodger or a person sub-letting (or part sub-letting) as a member of the household and will not grant permission for this where we believe this will lead to overcrowding.

Adaptations –

Where a property has adaptations to suit a particular physical need, preference will be given to applicant(s) with this requirement. Only where no one has been found requiring this will Stonewater look to assign to an applicant without the need.

Some adaptations will not be removed as part of a let to someone who does not have need for example wet rooms will not be converted back to standard bathrooms by Stonewater. Where a health and safety risk may be posed to the customer should an adaptation be present and not required, for example a lowered kitchen, this will be removed prior to the start of the tenancy.

Stonewater will work with occupational therapy to allow access to homes for review of the suitability of future adaptations to support accessibility of our customers.

Stonewater may refuse adaptations on a home where the overall property is not suitable for the applicant in the long term.

Pets - Stonewater will review the pet ownership of the applicant as part of the application. Tenancies will only be granted where the pet has been declared and permission granted in accordance with our Pets Policy. Where a pet is unable to be housed in the new home under the Pets Policy, the applicant will be given the option to rehouse the pet, otherwise the offer will be refused.

### **Domestic abuse**

Where domestic abuse is cited as a reason and part reason for an application. Stonewater may offer a property to a victim/survivor of Domestic Abuse where the above criteria may have normally resulted in a refusal.

Accessibility – Stonewater will be flexible where possible on this, particularly where an applicant is fleeing abuse. We will make sure that agreement is made with the applicant in advance around how and when to contact them to ensure that it is safe to do so and will not put the applicant at any further risk.

Anti-social behaviour – This may have been associated with the abuse, so Stonewater will ensure that our assessment of the application is fair, open and transparent and takes this into account.

Convictions – Stonewater will risk assess as with any other application. We will ensure that that engagement with statutory and support agencies is taken into account where a risk is identified.

Debt – Housing related, and other debts may be identified as part of the application process. Stonewater will ensure that an assessment of the full situation is taken into account as the debt may have resulted from the abuse or from fleeing the abuse. We will ensure that engagement with statutory and support agencies is taken into account, and that the debt is being or going to be addressed. There may be limited evidence for us to assess as it may not be possible for the applicant to be paying off debt until accommodation is secured.

Home ownership - Domestic Abuse is an example of mitigating circumstances where a homeowner or joint homeowner is offered accommodation by a social housing provider.

Stonewater would not be able to be flexible surrounding conditions laid out under property suitability, age restrictions and planning covenants. These are made clear when we advertise a property so we would assess these as with any other application.

Stonewater may also consider an application from a perpetrator of Domestic Abuse where it is part of multi-agency approach and there is proven engagement with statutory and support agencies, for example engagement in a perpetrators program. A risk assessment similar to that used with convictions will be undertaken. These types of applications will most likely be a direct approach from the local authority rather than CBL.