



# **MILLAT ASIAN HOUSING ASSOCIATION**

## **ALLOCATIONS POLICY**

### **PURPOSE:**

This document outlines the Association's Allocations Policy

**Updated in February 2024**

**To be reviewed in February 2027**

## **Introduction**

**1.1** Millat is committed to the letting of properties in a fair and transparent way. We have a duty to assist Local Authorities in the fulfillment of their legislative requirements and undertake to support our existing residents who are in housing need under the governance of this policy.

**1.2** Our ability to house people is limited by the number of vacancies in our stock portfolio, and the size, type and location of these properties.

**1.3** Far more people, both on Local Authority housing registers and our existing customers, are in housing need than there will be properties available. Therefore, it will not be possible to help all applicants. Only existing customers with an identified housing need will be able to apply to transfer, all others will need to look to mutual exchange in order to move.

**1.4** This policy covers allocations to general needs housing, independent living for older People.

**1.5** This policy does not cover; the transfer of tenancies made by any appropriate Court Order; the decanting of existing residents, or residents mutually exchanging their tenancies.

## **2 Objectives**

**2.1** Millat seeks to:

- Allocate rental properties to those in greatest housing need whilst promoting the choices and participation of applicants in this process

- Treat applicants fairly and equally regardless of where they live or who they are

- Develop mutually beneficial close working relationships with Local Authorities – to support their duties and to maximize the efficiency of any nominations process. We will also seek to strengthen our development potential as a preferred provider of new homes

- Meet the needs of local communities and support their ongoing engagement with our services

- Achieve stable and sustainable tenancies

- Be agile enough to offer a flexible approach at local level; using our housing stock in the most efficient way, through differing tenures, and differing contractual relationships with Local Authority partners in terms of nominations agreements and use of local lettings plans.

- Rise to the challenges posed by welfare reform

Provide a customer focused service including clear and easy to understand information, regular policy review and the continuous improvement of our processes and systems

**2.2** We will use this policy to ensure consistency in our approach to any decision making or determination regarding an allocation. We will ensure that this is compliant with all relevant government legislation and statutory guidance

### 3 Definitions

**3.1 Choice Based Lettings** – The method used to allocate homes by advertising available properties to eligible applicants, and then shortlisting those interested by their relative priority. This gives applicants' choice about the type of property and area where they want to live.

**3.2 Nominations Agreement** – Millat maintains a nominations agreement in each local authority area of operation. The agreement sets out the minimum percentage of available vacancies that the authority would be able to nominate applicants from its own housing register to, and how they will do this.  
such nominations. At Merton Council schemes 100% nominations apply.

**3.3 'Difficult to Let' unit of accommodation** – On occasion a property may be refused by more than 3 consecutive nominees, or they may be no suitable applicants currently matched to the property profile (for example in the case of disabled adapted properties). Properties in certain low demand locations or estates with high turnover may also be classified as such. If this is the case other social agencies may be considered.

### 4 Key points of Policy

#### 4.1 Eligibility –

Millat will only offer tenancies to 16-18-year old's in exceptional circumstances.

In all cases where a nomination is provided by a Local Authority all appropriate checks to ensure that the nominated household has the Right to Rent in the UK will be carried out by that authority. Where any applicants apply directly to Millat, we will ensure that this legal standard is met.

Where local authority partners have set thresholds for earned applicant income, savings and/or asset value, Millat will adopt these for transferring households. Households exceeding these thresholds will be deemed to have sufficient resources to meet their own housing needs. Where no limits are set, we will apply a threshold of £50,000 for household income. Welfare benefits are excluded from income thresholds. Non-disclosure of savings, assets or income later identified will be classified as fraudulent and could result in legal action to recover any property let under such pretences.

Current customers of Millat are required to have lived at their current property for a minimum of 12 months before they can apply for a transfer. They must also have successfully completed any starter or introductory period of their tenancy.

Customers must also have maintained their current home to an acceptable standard, as identified by a pre-transfer inspection. Any debt for rechargeable works must be cleared.

Customers wishing to transfer who have arrears of rent might only be considered at the discretion of the Head of Income and Inclusion or equivalent role, and the following guidance should be used – Arrears under £500 to be cleared in full wherever possible, or a minimum of 3 months adherence to repayment plan. Arrears of £501-£1000 – minimum of 6 months adherence to repayment plan. Arrears of over £1000 will only be considered in exceptional cases.

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Any applicant who has threatened a Millat colleague or representatives will not be eligible.

Any applicant who has paid money to illegally obtain a tenancy, or otherwise obtained a tenancy by deception; or any applicant who has committed a breach of tenancy that would have entitled the landlord to possession under a Ground listed in schedule 2 of the Housing Act 1988 will not be eligible.

#### 4.2 Treatment of previously evicted applicants

Whilst the new Millat tenancy agreement introduced indicates that if a customer evicted or abandons their home they will not be given another home by Millat in the future, previous customers who have been evicted might be nominated by a Local Authority as part of a future Homeless duty. For the avoidance of doubt any such applicant / household will be ineligible for Millat accommodation for the minimum periods stated in the table below:

	All Regions
Anti-social behavior	10 years (subject to risk assessment / review)
Rent Arrears	5 years ( plus repayment of debt)
Tenancy Fraud	Permanently

#### 4.3 Qualification

Applicants for Independent Living schemes for older people should be aged 55 or over. Where any other age restrictions apply, for example general needs properties for over 50-year old's, both Millat and the local authority will comply. Where Independent Living properties are advertised on a choice-based lettings scheme

applicants may be bypassed if the move would be of no demonstrable benefit to their housing needs (for example moves within a scheme on the same floor level).

We may assess the needs of older applicants to ensure that these can be met by the services available at any given scheme.

Millat will seek to ensure that any applicant nominated or considered for transfer meets the qualifying criteria for the property in terms of:

Being physically suitable for the applicant, for example due to size, floor level, or disability access needs

That any specific criteria for a particular client group are met

Where any property has been advertised specifying preference to applicants with a particular Local Connection, that this is met and evidenced.

That the nominee or a member of their family would not, in our opinion, be likely to cause, or be the victim of, a serious housing management problem at the property (This would not necessarily preclude the offer of another property elsewhere and is usually described as a 'sensitive let')

That the nominee will be able to conduct their tenancy satisfactorily, with tenancy sustainment or other agency floating support if needed. If support is needed then Millat will seek additional information to confirm engagement with the support by the applicant

#### **4.4 Verification**

Millat will always request and retain a copy of photographic ID for all incoming residents at the point at which they are made an offer of accommodation. We will also take a photo of the resident. This is to guard against future tenancy fraud and to ensure that the applicants' details match those provided by the nominating authority.

For direct applicants we will carry out Right to Rent checks in accordance with Home Office guidance. We may also carry out additional checks including, but not limited to,

Reference checks with current or previous landlord

Criminal records background check / national fraud initiative data sharing

Credit check and / or Income assessment including benefit entitlement

#### **4.5 Assessment of applications**

Applicants will be assessed according to a banding scheme to determine their relative priority. There are 4 bands:

- Emergency housing Need – (Band A / Category 1)
- Urgent housing Need – (Band B / Category 2)
- Identified housing Need – (Band C / Category 3)
- Keyworker or Choice Plus applicants – (Band D / Category 4)

The following housing needs are considered when determining an applicant's priority:

Medical needs evidenced by the relevant professional (including mental health needs)

Current housing status,

Social circumstances and welfare needs

Financial sustainability

Support needs

Level of under-occupation / overcrowding in the current home

#### **4.6 Withdrawal of offers**

Millat reserves the right to withdraw a provisional offer of accommodation at any stage during the re-let process if there are any concerns about the prospective customer's ability to successfully maintain a tenancy, or their requirements are found to be different to those indicated by their application.

#### **4.7 Refusal of offers**

If an applicant is nominated by a Local Authority and wishes to refuse an offer of accommodation, Millat will advise the applicant to seek immediate advice from that local authority as to the consequences this may have for any future housing assistance. If the Local Authority wishes to enforce the offer Millat will allow no more than 5 days for the applicant to reconsider.

#### **4.8 Intentional worsening of circumstances**

Applicants will not be accepted for transfer if they have deliberately worsened their own housing circumstances by carrying out a mutual exchange to a less suitable property than their previous home.

Any other deliberate action, or inaction, which results in a worsening of the applicants' housing circumstances, will render that need exempt from consideration when determining the priority of that applicant unless exceptional circumstances are proved. Households able to resolve their own housing needs by renting a suitable property in the private sector without recourse to public funds, however, choose not to do so, will not be awarded priority under the banding scheme.

## **4.9 Rights of Appeal**

All applicants have the right to appeal against any allocation decision taken by PA Housing. This may include where Millat has decided their application is ineligible, that they do not qualify for accommodation, or an offer of accommodation is withdrawn. The applicant must express this in writing within 21 days of the decision having been made. If the applicant remains dissatisfied with the outcome of the appeal, they should seek independent advice. They should only follow the Millat complaints process if they can demonstrate that there has been a failing of the organisation to follow this policy.

## **5 Wider Initiatives**

### **5.1 Local Lettings Policies**

Millat may operate local lettings policies on some estates to demonstrate our commitment to creating and maintaining sustainable homes and local communities. Where these are introduced the need for such will be clearly evidenced with data collected internally and externally and agreed in conjunction with the local authority and customers or stakeholders in the community. Any additional criteria or eligibility requirements will be clearly indicated to all prospective applicants. Alternatively, applicants identified as Key workers or through the Choice Plus scheme might be prioritised for allocations.

In addition to the above, vacancies arising from proceedings where crime or violence has taken place in the immediate location of the home will be classed as 'sensitive lets'.

### **5.2 'High Risk' allocations**

Millat will expect any nominating Local authority to share all relevant recent medical or risk-related paperwork in accordance with data sharing protocols, for the safeguarding of our colleagues and other residents. We reserve the right to refuse to re-house high-risk potential nominees where all the relevant professional agencies involved do not support the allocation or fail to provide the required paperwork. In some cases, we may refuse a high-risk applicant for a particular property due to locally specific circumstances but consider them for housing elsewhere. We may seek to interview the potential nominee prior to any offer being made to ensure they are aware that commitment to engaging with support services is integral to their maintaining a tenancy. In some instances, we may ask a potential nominee to sign an Acceptable Behaviour contract in addition to their tenancy agreement.

Millat will work in partnership with Probation and the Police in relation to rehousing applicants subject to Multi Agency Public Protection Arrangements or National Accommodation Strategy for housing Sex Offenders risk management. On occasion we may be approached directly by such organisations or by a local authority on their behalf, and a direct offer of accommodation may be made outside of any choice-based lettings advertisement

### **5.3 Sustainment and Affordability**

Millat will carry out an affordability assessment with households to offer support and maximise their income potential, especially where a cap on benefits may apply. We will clearly state the level of rent applicable on each nomination request or advertised property and will work with applicants to ensure that they have a sufficient income to meet this. In rare occasions this may mean that we refer a nominated household back to the local authority if we cannot demonstrate that they can afford to pay the rent.

Millat lets a proportion of properties at Affordable Rents which are up to 80% of local market rent, or the local housing allowance, whichever is lower. Once a property has been let at Affordable Rent it will not revert to a social rent. We may seek to prioritise households in employment for such properties, and any such distinction would be made clearly aware to applicants when advertised.

In areas of higher deprivation, we may seek to allocate homes to applicants who are working, in training or in higher education in order to contribute to local economic growth, and the development of sustainable mixed communities. This may be on a case by case basis or as part of a wider local lettings or regeneration plan and agreed with the local Authority as required.

### **6.1 Key Worker accommodation**

Where properties have been designated for key workers these will be let on assured shorthold tenancies to qualifying direct applicants at approximately 80% of the market rental value, plus any service charges. The Local authority will usually define which public sector roles they consider to be 'key' as this may vary regionally. Applicants will need to provide proof of their employment and their income as the same thresholds apply as to other applicants. Right to rent checks will also be carried out. Once allocated a property, key worker customers are not eligible to apply for transfer.

However, if their property is designated for redevelopment or disposal an alternative key worker property may be offered at Millat's discretion, subject to the tenancy having been conducted satisfactorily.

In some cases, and with specific agreement, Millat may let social or affordable rented properties to key workers as part of a strategy of sensitive lets to manage serious anti-social behavior.



## **6.3 Mutual Exchange**

Millat residents have the right to 'swap' or exchange tenancies either with other Millat residents, or with residents of other social housing providers. We will retain membership of the 'Homeswapper' national scheme, or an equivalent service, to facilitate these mutual exchanges. For most customers this is the most likely way that they will be able to move. Residents who do qualify to register for transfer must also register and actively seek a mutual exchange as they will be able to potentially access properties owned by many different landlords. A customer may not apply to transfer within 12 months of having moved into a property by mutual exchange unless there has been a sudden and unforeseen change in their circumstances. Further detail is given in the Mutual Exchange policy, as this is not considered an allocation under this policy.

## **7 Compliance**

### **7.1 False Information**

An application may be cancelled if it found that false or misleading information has been given. If this is identified after the applicant has been granted a tenancy, we may take action for possession of that person's home in accordance with legislation.

### **7.2 Customer consultation and feedback**

Millat is committed to involving its customers in developing services and improving Service Delivery. Residents were consulted on whether this policy was clear and easy to understand. Their feedback has been incorporated into this policy.

### **7.3 Data Protection**

Under the Data Protection Act 1998 and the Human Rights Act 1998 all personal and sensitive information, however received, will be treated as confidential. Millat will only involve other agencies or share information with the applicants' permission unless:

- The information is necessary for the protection of children

- We cannot by law withhold information from the Police that would assist a criminal investigation

- Where we subscribe to formal information sharing protocols with other agencies such as the Police

## **7.4 Equality &Diversity**

We treat all customers fairly, and with respect, and will not discriminate against any person on the grounds of disability, gender reassignment, pregnancy and maternity, race religion or belief, age, sex, sexual orientation, or marriage and civil partnerships. Millat monitors the protected characteristics of applicants to ensure that this policy is applied fairly and consistently. We review allocations data annually in comparison with statistics from local authority housing registers to promote equal opportunities and tackle social exclusion.

This policy has undergone an equality analysis to ensure that no applicant is disadvantaged as a result.

## **8 Training**

Millat will carry out induction and refresher training for all relevant colleagues to ensure they are aware of our policy. All managers will receive specific training to provide the skills and knowledge to comply with our policy and associated procedures.

## **9 Monitoring and Reporting**

Monitoring of performance and customer satisfaction is key to ensuring that we achieve our objectives covered by this policy. We use a variety of methods to do so, including but not limited to;

- Performance reports
- Customer profiling
- Regular reviews with local authorities of strategy and performance
- Benchmarking against other Registered Providers
- Internal audit
- Resident scrutiny and satisfaction surveys
- Annual report to residents and Board

## **10 Legislation (including but not limited to;)**

- Housing Acts 1988 and 1996
- Welfare Reform Act 2012
- Localism Act 2011
- Housing and Planning Act 2016
- Data Protection Act 1998
- Equality Act 2010
- Housing and Regeneration Act 2008
- Immigration (Residential Accommodation) (Prescribed Requirements & codes of practice) (Amendment) Order 2016
- Human Rights Act 1998