Lettings & Marketing

Policy

Policy Author[REDACTED]	Policy Valid From: 01/11/2023
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Policy/Strategy Control Statement

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3	Service Lead	[REDACTED]
4	Author	[REDACTED]
5	Date Approved and approved by who i.e. Service Delivery Project Board, Executive, Group Board, etc.	31/10/2023
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8	Next review date (Planned review Date)	31/12/2027
9	Staff Consultation	Consulted Communities , PFPS & Living + Oct 23
10	Other Services Consultation	
11	Customer Consultation	
12	Equality Impact Assessment: insert priority as agreed with E/D team, Insert date copy of EIA sent to E/D team.	Approved
13	Confirm that document meets current legislative requirements	Yes
14	Further Information/Comments	
15	Sign off of statement by Author and Service Lead (name and date):	[REDACTED] Head of Lettings & Marketing [REDACTED] – Central Lettings Manager 31 October 2023

Policy Applicable To

Business Area: Applicable to: Places for People Homes & Places for People Living Plus

Amendment Sheet Record

Revision Date	Description of Changes	Approved By	Date Approved
5 Sept 2017	Inclusion of Right to Rent legislation, over 55 age criteria, sensitive letting criteria, change to rejections to rejection / refusal / bypass including additional rejection/ refusal / bypass reasons,		
22 June 2018	Inclusion of verification section and additional to existing customers effected by benefit restrictions		
8 April 2019	Clarification on First come first served allocation following ombudsmen recommendation. Introduction of management support transfer to assist digitally excluded and customer identified with vulnerability needs		
31 October 2023	Alteration to housing of staff recommendation Revision of the whole policy to combine all previous PM		

27 November 2025	companies polices to make a group wide policy Policy review undertaken and amendment made to age criteria to take into account differences in Scotland and also change in approval of Housing of Staff		

Please summarise the current policy requirements and how this is changed in the new policy.

Creation of Group wide policy by combining all previous PM companies polices.

Please explain the reason for changes/improvements/new policy.

To ensure consist approach and delivery to one Group Policy for all Lettings

Please explain any new actions required to put the policy changes into practice.

No actions required to put policy into practice, Lettings & Marketing and Place Team have been briefed

Contents

Objectives

To create sustainable tenancies to enable customer to live successfully. Properties will be let promptly in the most efficient and effective way by matching the right person to the right property. We aim to combine our social purpose with the need to effectively manage our business, by ensuring new customers can manage and maintain their tenancy.

Legislation

We will manage our housing stock in line with the requirements of the Homes and Communities Agency and related regulations and legislation.

- Housing Act 1988
- Housing Act 1996
- Housing and Regeneration Act 2008
- Homelessness Act 2002
- Homelessness Reduction Act 2017
- Housing Act 2004
- General Data Protection Regulations 2018
- Anti-social Behaviour Act 2003
- Anti-social Behaviour, Crime and Policing Act 2014
- Equalities Act 2010
- Localism Act 2011
- Welfare Reform Act 2012
- Immigration act 2014 – Right to Rent
- Housing Scotland Act 2014 – section 5
- Matrimonial Homes (Family Protection Scotland) 1981
- Equality Act of 2012
- The general duty of the equality act 2010

Right to Rent (England)

We will ensure all applicants meet all requirements under the Right to Rent Policy which was introduced on the 1st of February 2016 as required by the Immigration Act 2014.

Full details of the Right to Rent Policy can be found on the Groups Strategies Policies and Procedures Register.

Effective and Efficient Lets

Properties need to be let in the most efficient and effective way.

In doing so we will:

- Minimise void periods to ensure that rental income is maximised.
- Ensure that all lettings are made in a fair and transparent manner.
- Create a positive and accessible customer experience through the lettings process.
- Create a sustainable let by ensuring we get the right person in the right property and seek to promote social inclusion.
- Make the best use of our stock whilst ensuring that our customers can make informed decisions on what accommodation they would like to be considered for which meets their housing need and in locations they would like to live.
- We will manage our vacant properties in the best way to ensure the right customer is given the opportunity to apply for the most suitable property which meets an urgent housing need; we will do this by prioritising sending larger family accommodation (four bedrooms and above) and adapted properties for nomination with the Local Authority. This means that the Local Authority can assess customer's housing and medical needs from their waiting lists and nominate the most suitable household who would benefit the most from a move to one of our homes.

To meet these objectives the following principals will be adopted when letting our properties:

Direct Lettings

- Direct vacancies will be advertised on our Homes to Rent Website: Places for People | Rent | Home page
- Our Homes to Rent website has the option for customers to declare housing need as part of their application (at risk of homelessness; overcrowding; under occupied; financial/affordability & medical).
- Vacancies can also be advertised on 3rd party platforms.
- Expression of Interest - Customers may register their interest for certain specialist schemes managed by Retirement Living that operate an expression of interest list.
- Applications will be dealt with in chronological order and the first person who meets our criteria (including housing need) will be considered for the property.
- We will only consider direct applicants with a combined household earned income of £60,000 or below.

Via Local Partners

We work with our Local Authority partners to assist them in achieving their strategic housing goals, these are reviewed on a regular basis. We support them by participating in the following:

- Choice Based Lettings (CBL) Schemes.
- Nomination Agreements.
- Common Housing Registers.
- Gateway Schemes.

Lettings made as part of nomination agreements and CBL schemes are driven by the Local Authority's strategic function to meet local housing need and homelessness duties including homelessness prevention, which will include prescribed nomination percentages that we aim to achieve.

The Nomination / CBL agreement / Common Housing Register will state whether the Local Authority lettings policy has precedence over our own. Where the agreement is not clear nominations will be assessed against our lettings criteria and may be refused if they do not comply with this policy. Regardless of which policy is used, lettings will be subject to the following sections of our policy:

- Eligibility
- Considering the needs of the community.
- Rejection, Refusals, Bypass

For customers who have been nominated with a priority need, their individual circumstances will be considered prior to any decision.

Existing Customers

Customers who wish to transfer can express interest in vacant properties advertised through our Homes to Rent website and nomination agreements.

Customers wishing to transfer are required to meet the following requirements:

- They must have lived in their current accommodation for at least 12 months.
- Their current property and garden should meet our Lettable standard.
- No investigations into breach of tenancy in the last 3 years.
- They should have an up-to-date rent account and maintained payments for 6 months.
- For existing customers who are affected by a benefit restriction
    - rent account is no more than 4 weeks in arrears.
    - they have maintained a payment plan.
- Meet Right to Rent requirements (England).

In exceptional circumstances some or all the above criteria can be waived with the appropriate approval from the relevant team.

In addition, there could be times when in accordance with Local Lettings Plans or Marketing Plans, we may review the number of transfers made in an area and additional restrictions could be applied, to ensure tenancy sustainability.

Mutual Exchange

Most of our existing customers have the right to exchange their homes, and the following should be taken into account:

- Customers with a Secure and Assured tenancy have the right to exchange homes.
- There could be cases where customers with an assured shorthold tenancy and some customers occupying purpose-built units may not have the right to exchange and this will be stipulated within the terms of the tenancy agreement.
- There may also be certain limitations for Supported Housing and Seaside and Country Homes customers.

Full details of the Mutual Exchange Policy can be found on the Groups Policy Register.

All customers wishing to transfer should be actively encouraged to join HomeSwapper as this will give them access to more opportunities to secure a property that meets their housing needs.

Management Transfers

Urgent moves for existing customers will only be considered in exceptional circumstances to address emergencies.

Full details of the Management Transfer Policy can be found on the Groups Policy Register.

Tenancy Offer

We offer a range of occupancy agreement types, and these will be offered to reflect the terms of the property and the customers current housing situation.

TENURE TYPE	TENANCY TYPE	RENT

Social	General Needs	Secure Assured AST (Starter) Equitable Licence Scottish Secure Short Scottish Secure	Secure Social Affordable
	Retirement	Secure Assured AST (Starter) Scottish Secure Short Scottish Secure	Secure Social Affordable
	Supported	AST (Starter) Licence Equitable Licence Excluded Licence	Social
Non Social	General Needs	Assured Shorthold	Market Rent Intermediate

Eligibility

Adaptations

Where a property has existing adaptations, we will make every effort to match customers that have a need for the adaptations already in place and prioritisation will reflect this. In the first instance the property will be offered to the Local Authority through the nomination process to match those with a priority medical need. Where there is no customer with a need for the adaptation, the property will be let according to this policy.

If adaptions are required to a property confirmation will be required that the property meets the customers' needs and can be adapted.

In the case of New Builds adaptions cannot be considered during the defects period.

Affordability

Customers must be able to demonstrate that the tenancy is sustainable and that they are able to pay the rent in full or pay any shortfalls in benefit, as well as paying normal household bills and any financial commitments they already have.

We may still consider a customer if there is evidence that their circumstances may change, or the affordability is borderline.

Customers are required to have a bank account.

Applicants in Scotland are unable to be refused for affordability, but advice will be given to ensure that they understand the commitment they are undertaking.

Age

Customers should be at least 18 years of age(England) or 16 (Scotland) ; law states that people under the age of 18 in England are unable to hold a tenancy because it is a legal interest in land. This is not applicable for applicants in Scotland.

There are two main exceptions to this for England: (this does not apply to Intermediate or Market rent)

- 16- and 17-year-olds who are receiving help through the Children Act 1989 from Social Services or homeless under the Housing Act 1996, Part VII Section 175 (amended by the Homelessness Act 2002). For these customers we reserve the right to request a guarantor for rent payments (acceptable to us), a support package where necessary and the right to grant an Equitable tenancy.
- 16- and 17-year-olds applying for a joint tenancy with a person over 18. The person over 18 will hold the tenancy in trust for the 16/17-year-old until such time as they reach 18 years of age. In this case both parties are jointly and severally liable to adhere to tenancy conditions.
- In other cases where a 16- or 17-year-old applies for housing, we will assess on an individual basis, taking into account the ability of the individual to sustain a tenancy and make rent payments, the support needs of the individual and vulnerability, whether or not related to age. We will also consider the letting in relation to the wider scheme or community. Where we do agree to grant a tenancy, we reserve the right to request a guarantor for rent payments (acceptable to us), a support package where appropriate and the right to grant an Equitable tenancy.

Extra Care

Each of our Extra Care Estates has an individual lettings / nomination criteria set by the Local Authority. Therefore, to be eligible you must have an assessed care need and be register on the Local Authorities housing register. All applications are assessed via a local allocation panel, consisting of Places for People, a Local Authority Housing representative, and a representative from adult Social Care / Commissioning.

To be eligible for Extra Care Housing properties customers must be 55 years of age or over and live within a geographical area set by the Local Authority. Where a joint application is made at least one of the customers must meet the age criteria, but any other customer or household member should be over 50.

We will also accept eligible disabled customers who are 40 years of age or over as defined under the Equality Act 2010.

Homeowners

Applications will not normally be considered from a homeowner where it is reasonable for them to occupy the property. The following are circumstances where a customer could be considered:

- The customer is at risk of homelessness.
- A joint owner who has left the property or is leaving the property to escape domestic violence and the perpetrator is the other joint owner.
- There has been a breakdown in a relationship between joint owners and one has requested housing and they would be unable to secure a mortgage or private rented accommodation e.g., low income or zero hours contract.
- The customer has a property that is actively on the market for sale.
- The customer or a member of the household has a disability, and the owned property does not meet their needs and is not suitable for adaptation or the customer is not able to fund the works or obtain grants or support from other agencies to do so.
- The customer is applying for a property that is difficult to let and no other suitable customers have expressed an interest.

Letting our homes to Connected Persons

Preferential treatment in the lettings of property to people who are connected to Places for People is not allowed. This applies to:

- Board Members.
- Employees – people who are employed on a contract and receiving wages or salary. People working freelance may also be classified as employees.
- People who have been Board Members or Employees during the previous 12 months.
- Close Relatives of Board Members or Employes

Consideration should be made if the relationship is so close that there is a risk that any decision to grant a Tenancy or a Lease could be influenced by that relationship.

When a colleague is using the Homes to Rent website to express interest in a property the following applies:

- The colleague must be registered on the Website before the property becomes available

If the colleague or relative has applied via the Local Authority approval will not be required as they will have been shortlisted and allocated the property in line with the Local Authorities criteria, of which the colleague or relative will have had no influence over.

Approval will only be required if the colleague / relative have been considered for a property if they used the Homes to Rent website or other 3rd party platforms to express an interest. Before any tenancy, lease or other benefit is granted, approval must be sought from the Group General Counsel or Company Secretary. Once the approval has been obtained the person can be offered Tenancy. See Appendix One for copy of approval form.

Intermediate and Market Rented

These properties will be let in accordance with the terms of the relevant tenancy agreement.

Property Size

When allocating a property, we take into consideration the make-up of a customer's household to ensure the effective management of our portfolio.

Properties are allocated in line with the following:

Size of family	**Number of bedrooms**
Single Applicant/couple	1 or 2 bedrooms
Single Applicant/couple + 1 child	2 bedrooms
Single Applicant/couple + 2 child*	2 or 3 bedrooms
Single Applicant/couple + 3 child*	3 or 4 bedrooms
Single Applicant/couple + 4 child*	4 or 5 bedrooms
Single Applicant/couple + 5 or more children*	5 or 6 bedrooms
Individual calculation on a case-by-case basis	7 or more bedrooms

*Depending on the age and sex of the children

- A boy and a girl under 10 years of age can share a bedroom.
- Two same sex children under 16 years of age can share a bedroom.
- A child of 16 years will each get a bedroom.

For applicants who are pregnant, the unborn child will be counted as part of their household for occupancy purposes. The pregnancy must be confirmed and evidenced and a date the child is due to be born provided. Applicants will still be required to meet any affordability requirements on their current situation.

We would never allow statutory overcrowding when offering a property.

In respect of our large properties of 4 bedrooms or more the property will be offered to the Local Authority through the nomination process to match those with a priority need. Where there is no customer with a need for the property size it will be let according to this policy.

We will consider under occupation by one bedroom to meet the needs of our portfolio management or on a case-by-case basis. Applicants would need to meet our affordability criteria to confirm they can afford any spare bedrooms and provide applicable evidence to support their application.

Retirement

To be eligible for Retirement Living properties customers must be 55 years of age or over. Where a joint application is made at least one of the customers must meet the age criteria, but any other customer or household member should be over 40 in England and over 50 in Scotland.

We will also accept eligible disabled customers who are 40 years of age or over as defined under the Equality Act 2010.

We would normally expect that customers would be in receipt of Personal Independence Payments (formerly Disability Living Allowance or Attendance Allowance). Where the customer has not claimed either of this benefit their need will be assessed as part of the pre-assessment process and each case will be assessed on an individual basis as to their eligibility for retirement living accommodation. Customers may be required to provide further evidence to support their application. This is not applicable in Scotland as they will be assessed in line with the CBL and Nominations agreement.

We will not usually consider applications where there are household members under the age of 40 or with dependent children for properties that are on schemes where there are only retirement living properties regardless of the type of property.

Where the property is a bungalow and is on a scheme that has a mix of retirement and general needs properties, applications may be considered where there are household members under the age of 40 or with dependent children.

In the above two scenarios each case will be assessed on an individual basis to determine whether to accept an application for a property on a retirement living development.

Supported Housing

To be eligible for Supported Housing properties customers must meet the local criteria as defined by the Scheme Management Plan, Local Lettings Plan or Third-Party provider requirements. Supported Housing Accommodation is provided alongside support, supervision, or care to help people live as independently as possible in the community. Our services accommodate customers with complex needs, mental health conditions, learning disabilities, physical disabilities, homeless families, homeless singles, young people, and customers fleeing domestic abuse. Each customer will be assessed on an individual basis as to their eligibility to access supported housing accommodation, and customers may be required to provide evidence to support their accommodation. As part of the referral process, we may work collaboratively with other health professionals to assess the suitability of the accommodation for the individual. This may include housing, social care services, probation officers, social workers, or other advocates etc. As part of the assessment process, other considerations including mental capacity, deprivation of liberty and power of attorney will be considered to ensure customers are accessing the right accommodation and support services.

Considering the needs of the Community

In some areas we will use local lettings policies, outside our normal lettings system, to assist in achieving balanced and sustainable communities A local lettings policy may be used to address an imbalance in a community, examples include:

- High levels of anti-social behavior.
- High levels of Tenancy Management issues.
- High levels of criminal activity.
- Concentration of customers with support packages.
- High levels of termination on a scheme, particularly due to affordability.
- Child density issues.
- To respond to specific issues affecting the wider community.
- Planning lettings for newly built or acquired schemes.

Where consideration is given to introducing a local lettings policy the views of residents and customers of the scheme, the relevant local authority and local Policing team will be taken into consideration. Once a local lettings policy is introduced, we will review it regularly to ensure that it is meeting the key objectives.

As part of a managed strategy for dealing with anti-social behaviour we may use tenancies either across our stock in a local authority area or in defined streets, areas or estates. We will advise customers if this applies to an offer of accommodation.

In some circumstances on schemes where we do not operate a local lettings policy, we may, at our discretion, let a particular property in line with the criteria listed above.

Verification

Applicants will have to complete an application for housing and a series of checks will be undertaken to ensure the information provided relating to the applicant and household members is true or if relevant information has been omitted.

We will seek to verify all relevant details provided by an applicant and this will include proof of identity, proof of address, proof of any income and/or benefits and any other checks necessary.

Evidence supplied as part of proof of income and/or benefits will be used to assess if the applicant is able to afford to live in the property and therefore successfully sustain their tenancy, this may include a credit check. As part of this we aim to establish if the customer has sufficient income to pay not only the rent, but also the usual household bills. All new applicants must be able to demonstrate that they have enough income to cover the rent, household costs and any other financial obligations that they already have.

As part of the verification process, we may request or undertake one or more of the following:

- Internal checks – interrogate our own systems to identify if the applicant has been a tenant previously.
- Use internet search engines from data provided such as name, area they live or have lived, email address, telephone number.
- Landlord's reference.
- Employer Reference.
- Character Reference.
- Supporting evidence from involved professionals (care plan, occupational therapy assessment.)
- DBS check.
- Schedule One risk assessment and applicable checks.

If anomalies or concerns are identified regarding the validity of the application, we will:

- Contact the applicant – to discuss/clarify any detail or to explain further checks will be conducted which could yield further disclosure.
- Contact the organisation or individual who provided the reference - to discuss/clarify any detail.
- Undertake an interview by housing management.

Rejection, Refusal, Bypass

There are circumstances in which we are unable to proceed with an application.

Each case will be assessed on an individual basis and where an applicant is refused, they will be informed of the decision and provided with details of the Right to Review process.

Bypass

This is where the applicant has failed to respond or supply the documentation within timescales prescribed.

Reasons for by-passing the application and moving onto the next applicant:

- Fail to provide within 48 hours from when requested, all relevant evidence to support their housing application.
- If we fail to receive a suitable employment reference (for applicants who are working).
- If we fail to receive a suitable landlord reference(s) for the last 3 years within 5 days of the request.
- The applicant has refused more than 3 properties offered to them within the previous 12 months without just cause.

- The applicant has not attended an arranged viewing in the last 12 months without just cause.
- The applicant is under investigation for current / previous tenancy conduct including rent payments.

Refusal

This is where there are sufficient reasons or evidence that means we are unable to make an offer of a property to the applicant at the current time.

A customer can be reconsidered for housing in the future if there is a change to their circumstances that removes the grounds for which they were originally refused.

Reasons for refusing the application includes:

- Failure of the affordability check at time of application.
- Earned income is more than the amount specified for Direct Lettings
- The applicant does not have a transactional bank account.
- The applicant does not meet any of the eligibility criteria.
- The applicants have been evicted from a previous address
- The applicant confirms that they have current / former rent arrears.
- If the Landlord reference confirms that they have rent arrears and/or not paid the rent on time every time during the last 12 months.
- Current customers existing property fails to meet the lettable standard when inspected by the Lettings and Marketing Team.
- Inability to sustain a tenancy - An applicant will be refused if they have an identified support need, and the appropriate support package isn't in place to ensure that the tenancy will be sustainable or if they refuse to take up a support package at time of the application.
- If it is identified that there will be a change in the customers circumstance i.e., pregnancy which would mean the property offer would not meet their imminent future housing need.
- The applicant does not meet the criteria for Homeowners applying.
- There is evidence that the applicant, their partner, or member of the household has been the perpetrator or has incited harassment or been violent or abusive to others within a period deemed reasonable.
- There is evidence that the customer's health and safety would be at risk, e.g., unable to self-evacuate in the event of a fire.
- Where a risk assessment has been carried out by the police and probation services in relation to a schedule 1 applicant and the property location is deemed unsuitable by the joint agency group.
- Does not meet the criteria of the Local Lettings Plan.
- If further information received after allocation of that property means this could lead to conflict or disharmony in that area; the Communities Team and or Lettings and Marketing Team may, at their discretion, refuse the applicant.

Rejection

This is where there are sufficient reasons or evidence that means we are unable to make an offer of any property to the applicant.

Reasons for rejecting the application:

- They cannot demonstrate their Right to Rent, this applies to all household members. (England)
- If the reference confirms that there has been any breach of tenancy whether notice has been served or legal action taken.
- If the reference confirms that there has been any damage to the property.
- Where the applicant displays unacceptable behaviour to an employee of the organisation at any point during the lettings process that would constitute a breach of tenancy and entitle a landlord to possession under any of the Grounds 1-7, Schedule 2 of the Housing Act 1985 and under Grounds 12 and 14, Schedule 2 of the Housing Act 1988.
- If at any time during the application stage, checks reveal information that is not included on the housing application, or it is discovered that false information has been provided. A person found guilty of an offence of withholding information or making false statements is liable on conviction to a fine up to £5,000. If any customer is granted a tenancy based on false information given on their application, we may seek possession of their home under the Housing Act 1996.
- Where there is evidence that a customer has paid money illegally to obtain a tenancy.
- Has been convicted of a criminal offence which is not spent and would be deemed of a more serious nature that could have a detrimental effect on the sustainability of the scheme and pose a potential risk to other residents, colleagues, or contractors.

Where the customer has disclosed that they have an unspent conviction or where verification checks identify an offending history, this would not automatically make them ineligible for housing. We recognise that some individuals requiring housing may pose a risk to our colleagues and contractors, customers, and the communities they live in. Customers considered to be high risk would include but are not limited to:

- Customers with unspent convictions as defined by the Rehabilitation of Offenders Act 1974; https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974
- Customers with convictions that will never be spent as defined by the Rehabilitation of Offenders Act 1974.
- Customers that have committed an indictable offence in the vicinity of the property or scheme and are still posing a threat to the community.

Such convictions would include but are not limited to:

- Violent behaviour.
- Drug related offences including dealing in drugs.
- Racial or other harassment.
- Use of weapons.
- Arson.
- Sexually inappropriate behaviour.
- Alcohol related offences.

The customer will receive written notification if an application is refused or rejected, giving the grounds for the decision.

Right to Review

Applicants may appeal against the decision to refuse / reject their application.

Appeals will be assessed by the Head of Lettings and Marketing and must be received within 5 working days of the refusal / rejection been made. The property the applicant has been considered for will continue to be relet. If the appeal is successful, the applicant should be offered the next available property that meets their requirements.

If an applicant feels that the appeal has not been dealt with fairly, they can make a formal complaints.

Accessibility

We will ensure that people get equal access to our information about properties that are available to let by:

- Publicising where properties are advertised including our website, social media, To Let boards and external advertising platforms.
- Providing access to translation services.
- By sign posting customers for support with digital inclusion, to enable them to access our services online.
- Ensuring our website offers applicants the opportunity to save searches and receive updates on similar properties.

Equality and Diversity

This policy has been subject to an Equality Impact Assessment. Although we are not a public body, we feel that our lettings policy is a public function. Therefore, we feel we should comply with the Equality Act of 2010. The General Duty of the Equality Act 2010 requires that we:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Therefore, we have undertaken an Equality Impact Assessment.