

SP03 Lettings Policy

1. Scope

This policy sets out how we allocate and let properties in a fair and transparent manner, it includes our approach to direct matching and website advertising (such as Rightmove or Soha's own site), housing the homeless, choice based lettings, priority lettings, mutual exchanges, successions and internal transfers. It does not include Shared Ownership properties (see SP29). It should be read with SP32 Tenancy Policy, which sets out the types and lengths of tenancies we offer, and SS08 Code of Conduct which sets out the probity approach for lettings.

2. Policy Statement

Soha works with partner local authorities to reduce homelessness and offer a fair, efficient and transparent lettings service, which helps create sustainable communities.

We monitor our lettings to check how they reflect local community demographics. Where we find that any group is under represented, we will work with local authorities to improve access and lets to applicants in these groups. We will work with our local authority partners to offer suitable housing to refugees as the need arises.

Soha subscribes to Homeswapper, a national internet based mutual exchange service to enable tenants, with the right, to mutually exchange their home.

Soha will explore alternative approaches (such as QL, or web based alternatives) to operate a direct matching waiting list to allow Soha to make use of the 25% of void properties we can let outside of local authority schemes. This approach enables Soha to operate greater control over a significant element of our lettings (removing lost time) and also make lettings focused on sustainable communities, that comply with our Direct Match Procedures (for example to increase the ratio of residents in employment in an area, or reduce child density).

Soha uses specific procedures to maintain high levels of probity in letting properties to employees, Board members or connected people to show that they receive no more favourable consideration than other applicants and to notify the Board of these instances. The Housing and Planning Act 2016 requires local authorities to charge a higher rent to households earning over a set amount and this is commonly known as 'Pay to Stay'. Soha is not operating a 'Pay to Stay' procedure.

A Soha letting is the start of a relationship with a named point of contact and as a tenant of a mutual landlord where membership is a right. Soha is developing procedures to strengthen the ties between Soha and tenants and promote membership as a meaningful option to new tenants.

3. Implementation

Soha will have clear procedures and eligibility criteria in place for the following lettings:

Choice Based Lettings, where this exists. Procedures will include how common housing registers and allocations policies will be used to provide clear application and decision making processes and to offer choice to the widest range of potential tenants, including Soha tenants seeking a transfer. This operates in conjunction with our 'South & Vale Homechoice Agreement' in South Oxfordshire and Vale of White Horse district council areas.

Local Lettings Plans, including when and how these may be used. Local Lettings Plans will have specific aims and timescales agreed with the Local Authority.

Priority Lettings, setting out the circumstances and processes to be followed for:

Permanent and/ or Temporary accommodation for homeless applicants, working in partnership with the Local Authority to offer Housing First and Housing Led solutions to homelessness and tenancy sustainment at a scale suitable to local need;

Letting adapted properties to applicants who will most benefit from the adaptation, in agreement with the Local Authority;

Management transfers to make an offer of housing to an existing tenant outside of Choice Based Lettings, setting out when and how this may happen. Circumstances may include victims of Domestic Abuse, temporary decanting or under-occupation following succession.

Supported Housing for schemes where Soha offers homes for adults with physical or Learning Disabilities in partnership with local authority and care providers.

Direct Matching – open waiting list

Soha has the contractual freedom to offer 25% of available voids each year to applicants from sources other than local authority lists. Soha allows direct matching of applicants from web based advertising (such as Rightmove) and will research operating our own waiting list (e.g. for Affordable Rent properties). Soha will comply with 'Right to Rent' and immigration checks when letting properties via direct match. Unless an open waiting list is introduced, direct matching will only be allowed with Director approval, unless the direct match follows an unsuccessful CBL advert and is within Soha's 25% rule.

4. Mutual Exchanges

All assured tenants have the contractual right to exchange their home. Soha will have procedures that clearly set out eligibility criteria, timescales and include the provision of high quality information. Any applicants wanting to exchange with an Affordable Rent tenant will be fully informed of the implications.

5. Succession

Soha will have clear procedures in place for granting successions to tenancies where a tenant dies. These will emphasise the need for clear information to be available.

Succession rights only apply to one succession, applications must be made within 31 days and in the following cases:

The legal right for a spouse, civil partner or co-habitee to succeed to a tenancy (this applies to assured social and affordable rent tenancies);

The contractual right for another family member who has been living in the property to succeed to a standard Assured Tenancy (social rent properties) or be offered an alternative tenancy;

Applications from a family member to succeed to an Affordable Rent tenancy will be subject to Soha's discretion and may include succession or the offer of a further tenancy, taking into account any under-occupation and best use of housing stock.

6. Under-Occupation

Soha will have in place clear procedures for encouraging tenants who under occupy their home to downsize. This may include offering incentives and will especially be targeted to tenants affected by welfare reforms and the bedroom tax.

7. Starter Tenancies

Soha will offer an Assured Shorthold Tenancy (**Starter Tenancy**) to new tenants. If there are no breaches within the first twelve months, this will be converted to an Assured Tenancy.

8. Fixed Term Tenancies

Soha is not using Fixed Term Tenancies. The Housing and Planning Act 2016 allows RPs to offer fixed term tenancies as opposed to lifetime tenancies.

9. Eligibility

All lettings procedures will include fair eligibility criteria. If we refuse a letting (including a mutual exchange or succession) we will explain the reasons why and have evidence to back up our decisions.

Soha does not refuse lettings on affordability as we will normally be the most affordable landlord in our areas of operation. However, we do reserve the right to match tenants to 'target rent' properties where an affordable rent would lead to the benefit cap / other hardship.

Procedures will allow for some discretion, e.g. where children are almost at the age of needing their own bedroom, or allowing a transfer where a tenant is in arrears if they are or will be adversely affected by the bedroom tax. In such cases, a Service Manager/ Head of Housing will approve the letting.

Applicants may appeal a decision through Soha's complaints process.

10. Support

Soha will provide support and practical assistance to vulnerable applicants to help them access lettings systems. We will also identify the needs of new tenants and signpost or provide appropriate support to help them sustain their tenancy.

11. Resident Involvement

We will gather feedback on the lettings service and work with the Members' Forum and Portfolio Holder to establish appropriate resident involvement, for example customer journey mapping.

12. Monitoring/Responsibility

Soha will monitor its lettings to check the efficiency and fairness of decision making and process. The Interim Director of Housing & Communities / Head of Housing is responsible for effectively implementing this policy.

13. Context

Housing and Planning Act (2016)

RSH Regulatory Framework

SP32 Tenancy Policy

SP18 Aids and Adaptations Policy

SS08 Code of Conduct (Soha's Approach to Probity)

SP19 Vulnerable Residents Policy
Equality Act 2010
Housing Acts 1985, 1988, 1996

Members' Forum Approved	15 October 2020	Board Approved	22 October 2020
EIA Completed	15 October 2020	Review Due Date	By October 2024
DPIA Checklist Completed (date)	18 October 2020		