

Appendix 4 - Dorset Housing Allocation Policy Review June 2023

List of recommended Minor Amendments

1) Section 13 Local Connection Criteria

Insert new section at Section 13.3 to read:

‘Applicants accessing the register via local connection, location requirements relating to S106 Town and Country Planning Act 1990 are limited to bidding on properties within that development only.’

2) Section 16 Unacceptable Behaviour

Amend Section 16.2 (a) to read:

- 3) ‘Rent arrears of 8 weeks or more or breach of tenancy obligations where no attempt is being made to repay the debt or remedy the debt by either paying the debt in full or adhering to a repayment plan, unless at the time of their application they are owed a prevention, relief or full housing duty under the homelessness legislation or are under occupying a social tenancy and arrears have accrued due to the impact of under-occupancy. Debt relating to MOD properties known as mesne profit debt which is rent arrears that starts to run when the tenancy has been terminated and the tenant still holds possession will be disregarded where a copy of the notice to vacate or Certificate of Cessation of Entitlement to Service Families Accommodation is provided. Dorset Council may contact the Ministry of Defence of Loss of Entitlement to verify mesne profit debt.’

4) Section 16 Unacceptable Behaviour

Insert new section at Section 16.4 to read:

‘High risk offenders with an offending history will always require an appropriate risk assessment in the first instance, which will take MAPPA (Multi-Agency Public Protection Arrangements) guidance into account where appropriate. They will only be considered for the waiting list once a multi-agency risk assessment is carried out to consider what type of accommodation is appropriate.’

5) Rename current Section 16.4 to Section 16.5

6) Section 17 Financial resource limit

Amend Section 17.2 to read:

‘This can include disposals for nil (for example, transfer of ownership) or below market value such as selling a property within the last 12 months that is affordable and suitable for the applicant’s needs to be able to join the housing register or qualify for higher bands on the register.’

7) Section 19 Deliberately Worsening Circumstances

Amend Section 19.2 to read:

‘If an applicant deliberately worsens their circumstances so they can join the housing register or qualify for a higher band and there is evidence of this, their application will

be refused for a period of 12 months unless a homeless duty has been accepted by Dorset Council.

For an applicant to have deliberately worsened their circumstances where accommodation has been left, there must be evidence that it would have been reasonable for the applicant to have remained in that accommodation and that the accommodation would have continued to be available to her/him. Examples of deliberately worsening of circumstances include (but are not limited to) are:

- a) deliberate moving from an assured/assured shorthold tenancy to insecure, overcrowded accommodation with family or friends within the last 12 months to qualify for higher band.
- b) moving family member(s), friend (s) and/or any other household into the current home, within the last 12 months where there is no need, including cases where this conflicts with agreements with any landlord.'

8) Section 25 Disrepair

Insert new section at Section 25.4 to read:

'If disrepair is an element of the applicants housing register application:

- a) applicants are expected to have attempted to resolve the matters with the property owner first.
- b) if attempts to resolve the matters with the property owner are unsuccessful, an internal referral can be made by the Housing Register Team to the Housing Standards Team who can offer the occupant advice or an enforcement service.
- c) if the applicants' home has structural health and safety deficiencies for which the HST can take action to resolve, then in the first instance and with the applicant's agreement, the HST would contact the landlord, normally in writing, to raise the deficiencies and try to get them resolved.
- d) if this is unsuccessful, and the applicants' home has deficiencies for which the HST can take action to resolve, then an inspection maybe carried out of their home with a view to identifying any serious health and safety deficiencies and enforcing the repairs on the landlord. This may involve the service of a legal notice on the landlord.
- e) The Housing Register Team will be notified of the outcome of this inspection which may or may not affect your banding.

9) Section 31 Assessing Bids

Insert new section at 31.3 to read:

'Bids placed for properties subject to S106 Town and Country Planning Act 1990, local lettings plans and/or specific social landlord requirements will be prioritised accordingly. Relevant information is included in advertisements and applicants are encouraged to note these factors.'

10) Section 32 Nominations

Amend Section 32.2 to read:

'The social landlord will consider the applicant(s) and may ask for additional documentation. Households with rent arrears will be required to provide evidence of debt repayment plans. Social landlords' own policies vary regarding the length of time repayment plans will be accepted. Plans of less than 6 months are unlikely to be

considered. The social landlord may liaise with the housing service and consider various factors including:'

11) Appendix 3 Banding Explanatory Notes

Amend Band A Exceptional Housing Need that takes priority over other applications, Example 1 to read:

'Dorset Council'.

12) Appendix 3 Banding Explanatory Notes

Amend Band C Homeless Households first paragraph to read:

'People who are homeless including those who have not chosen to make an application for homelessness assistance (within the meaning of Part 7 of the Housing Act 1996 (as amended)). This will include households who are deemed to be intentionally homeless or considered not to be in priority need by Dorset Council, as well as those where the Authority has owed a s193 duty but has subsequently discharged that duty for whatever reason.'

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