

## CORNWALL HOUSING ALLOCATIONS & LETTINGS POLICY



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## TABLE OF CONTENTS

1. Background and purpose	3
2. Aims and objectives	3
3. Access to housing	3
4. eligibility	4
5. ASSESSMENT AND ALLOCATION	6
6. unsuccessful applications	6
7. making the best use of our stock	7
8. moving of existing residents	9
9. appeals	10
10. monitoring and review	11
EQUALITY AND DIVERSITY	12
Reference documents	13

## 1. BACKGROUND AND PURPOSE

- 1.1. Cornwall Housing Limited (CHL) manages over 10,000 homes across Cornwall on behalf of Cornwall Council (CC). In Cornwall demand for housing far exceeds supply and our ability to offer housing to people is limited by the number of vacancies that become available, and the size, type and location of these homes.
- 1.2. This policy sets out how we will provide opportunities to our existing residents and potential residents, and how we will work in partnership with Cornwall Council's Homechoice scheme to allocate our available homes in a fair, transparent and compliant way, whilst ensuring that best use is made of the available housing stock.

## 2. AIMS AND OBJECTIVES

- 2.1 This policy has been developed to:
  - Support CHL to provide a choice of affordable, good quality homes for those in housing need,
  - Enable applicants to exercise choice when applying for an affordable home
  - Make the best use of available homes and work to create stable and balanced communities
  - Allocate and let CHL homes in a fair and transparent manner in a way which is easy to access and understand
  - Let properties effectively and efficiently to minimise the time our homes are empty
  - Make better use of housing stock by ensuring that adapted and accessible housing is let to those in need of the current adaptations
  - Assist CC in their strategic duties and responsibilities to secure homes for people in housing need.
  - Meet legislative, regulatory and contractual requirements.

## 3. ACCESS TO HOUSING

- 3.1. The majority of CHL homes are allocated through Cornwall Homechoice which is a Choice-Based Lettings (CBL) scheme. This is the local authority's housing register and enables those applying for housing with CHL to select a home that best meets their needs.
- 3.2. CHL is a member of the local CBL partnership and works within the eligibility criteria and allocation preferences within this scheme.
- 3.3. A proportion of homes available for re-letting may be allocated through alternative routes. These include direct matches of existing customers to vacancies to meet their emergency or priority housing needs that cannot be met or met quickly enough through the CBL route, (known as Managed Moves – as detailed in section 8).

- 3.4. Some homes have specific referral arrangements with external agencies. This is normally where the accommodation offers extra support and referrals are accepted and assessed through panels with CHL and support providers.
- 3.5. In a situation where a property has received no eligible bids through the CBL scheme, CHL may advertise and let these homes as “hard to let” and promote them in additional places to increase visibility.
- 3.6. Whichever route applicants use to apply for CHL home there will always be a need to demonstrate that CHL’s eligibility criteria has been met.

## **4. ELIGIBILITY**

- 4.1. To qualify for an allocation of a CHL managed property applicants must show they meet a set of eligibility criteria.
- 4.2. All applicants must show they have a local connection to Cornwall to be considered for a CHL managed property.
- 4.3. A local connection to Cornwall will be established if:
  - The applicant lives in Cornwall and has done so continuously for the last three years.
  - The applicant has lived in Cornwall continuously for at least 5 years at some time in the past.
  - The applicant is employed in permanent employment within Cornwall. (Permanent employment is regarded as 16 hours or more per week for a continuous period of three years). NB this must be their actual place of work and not where the head office is situated.
  - The applicant has close family (normally mother, father, brother sister, son or daughter) that have resided in the area for at least the last 5 years and where there is independent evidence that the family member is in need of or can give support for the foreseeable future or on an ongoing basis.
  - The applicant meets the criteria under an additional preference category, for example, fleeing domestic abuse, current or former armed forces personnel, right to move or witness relocation.
  - The applicant is a Cornwall care leaver and does not meet minimum local connection criteria.
  - Exceptional circumstances – where there is an exceptional need to move to Cornwall. Examples include but not limited to: those needing to move closer to specialist medical/support facilities; applicants accepted as homeless and owed a full housing duty by CC homeowners requiring adaptations that cannot

be undertaken in their current home; and Cornwall care leavers living outside of the County.

4.3 As well as the local connection, to qualify applicants must demonstrate the following:

- They have suitability for the vacancy in terms of age, household composition, past tenancy history and any vulnerabilities.
- Be in housing need and show difficulties in being able to access other housing options such as home ownership or private rental due to a low income or other personal circumstances.
- Demonstrate that they are ready and willing to fulfil the obligations of the tenancy, including those to pay the rent on time and respect the property and neighbourhood.
- Show that the property is affordable whilst taking into account income, benefit entitlements and other debts or financial commitments.
- Be willing to accept and engage with support if it is considered necessary to sustain the tenancy and pay for it.
- Usually be at least 18 years old. In exceptional circumstances CHL will let homes to people aged 16 or 17 who have a trustee or guarantor.
- Have the mental capacity to enter into a tenancy agreement and if not, have someone with the relevant Power of Attorney who can support them in making this decision.
- Be habitually resident and have the “right to rent” in the UK.
- Hold an immigration or settled status that enables them to remain in the UK with a ‘right to rent’ for the duration of the tenancy.

All applicants are asked to declare if they have a significant personal relationship with, are related to, or, are a CHL board member or employee.

CHL may still provide accommodation to them if they have a significant personal relationship with, are related to, or, are a CHL Board member or employee. However, all potential allocations will require review by a CHL Executive Director and will need to demonstrate the following:

- that there is a housing need and the applicant meets the allocations criteria.
- the applicant has applied through the local authority CBL scheme, Cornwall Homechoice.
- the applicant has received exactly the same consideration as any other applicant.
- the applicant had no involvement or influence over the allocation decision.

## **5. ASSESSMENT AND ALLOCATION**

- 5.1 CHL aims to ensure that all applicants are able to maintain a successful tenancy when becoming a CHL resident. To facilitate this CHL will carry out a full verification of an applicant's circumstances when they are nominated for housing.
- 5.2 This will include a full financial check, obtaining references from former landlords, reviewing their tenancy history and checking the Homechoice application against supporting documentation.
- 5.3 CHL will offer support and guidance, if required, throughout this process.

## **6. UNSUCCESSFUL APPLICATIONS**

- 6.1 There will be circumstances when CHL may be unable to offer an applicant the tenancy for a property they have been nominated for.
- 6.2 The reasons an offer may not be made to an applicant are detailed below:
  - They do not meet the eligibility criteria as detailed in Cornwall Homechoice's guidance on matching homes to appropriate households.
  - They do not meet the eligibility criteria for a tenancy of this particular property as set out in a Sensitive Letting requirement or a Local Lettings Plan.
  - CHL has assessed the applicant against the personal affordability criteria and do not believe they would be able to afford the rent
  - CHL believes the applicant or a household member presents a significant risk to the community, and does not believe that this risk can be reduced to an acceptable level through support and risk management measures.
  - CHL believes the applicant or a household member has a support need or vulnerability that means they would not be able to meet the terms and conditions of their tenancy without additional support, and CHL do not believe that enough support is available to them.
  - The information received from Cornwall Homechoice is inaccurate or incomplete and cannot be accepted as a true application under the scheme.
  - The property the applicant has bid for is not suitable for the disability adaptations that would be needed for them or a member of their household.
  - The applicant is a tenant of CHL and it has been identified that their current home has significant repairs which are the result of tenant damage. CHL would not be able to offer the new tenancy if the applicant is unable to complete these repairs ahead of a move.

- The applicant is an existing or former tenant of CHL, or other registered Provider of social housing, and has rent arrears or other housing debts. CHL would not usually offer a home where the person has been previously evicted for rent arrears, has a history of erratic payments or has recently cleared large debts to secure further accommodation. Whilst making decisions in these circumstances CHL would take into consideration any payment plans that have been made and adhered to.
- The applicant is an existing or former tenant of CHL or other Registered Provider of social housing, and it has been found that they have an unacceptable tenancy record due to serious and persistent breaches of tenancy, and/or anti-social behaviour. When considering such an application, CHL will take into account the extent of the tenancy breaches, the impact it had on the community, the length of time since the breaches occurred and how any subsequent tenancies have been conducted.
- The applicant has a high income or savings above the threshold set within the current Cornwall Homechoice policy.

## **7. MAKING THE BEST USE OF OUR STOCK**

- 7.1 CHL will offer an applicant a property that fits the size and needs of their household.
- 7.2 Cornwall Homechoice will determine the property size that a household is entitled to and offers of accommodation will generally be made based on the local authority assessment.
- 7.3 Occasionally in exceptional circumstances CHL may make an offer of a property outside of an applicant's allocated property bedroom need. This will most commonly be in the following situations:
- When downsizing from a larger home.
  - When there is low or no demand for the home from other households fitting the criteria the property has been advertised under. i.e – 2 bedroom older persons accommodation.
  - Where a property has disabled adaptations and CHL is unable to let to an applicant requiring the adaptations who also meets the full bedroom requirement, CHL may under occupy to someone who needs the adaptations.

### **Adapted homes:**

- 7.4 Where CHL homes have been significantly adapted for the needs of a disabled person, CHL will advertise the property with preference labels stating that preference will be given to those applicants that have need for the disabled adaptations within the property.

7.5 An adapted property is one that may contain any of the following and is also considered suitable for anyone with restricted mobility.

- Level access shower or a specialist bath
- Widened doorways
- Ceiling tracking
- Ramps
- Stairlift
- Lowered kitchen
- Ground floor kitchen and bathroom extensions

7.6 This will be validated through the verification process where an applicant's medical details will be assessed. A viewing of the property by an occupational therapist will normally be required to assess the suitability of the property for the applicant. The occupational therapist's assessment of suitability will be taken over that of the applicant.

### **Older person's accommodation**

7.7 This type of accommodation will be advertised with a preference label stating "applicants should be eligible to apply for State Pension Credit or require accessible accommodation due to a mobility need".

7.8 Applicants applying on the basis of mobility needs will be required to provide independent evidence from a health professional demonstrating the need for an accessible property or the need for the property adaptations.

### **Category 2 schemes**

7.9 This type of accommodation is open to those that are 55 years of age and over and offers an extra level of support to residents. The properties have a lifeline fitted and there are extra charges for this service.

### **Supported Housing**

7.10 CHL manages housing in supported accommodation units. These units offer an extra level of support and are allocated in a different way. Applicants interested in this type of accommodation must first bid on Cornwall Homechoice. Applicant suitability is then assessed via a panel and they must evidence a care and support need recognised by Adult Social Care.

### **Local Lettings**

7.11 Some of CHL's new build homes have planning, legal or funding restrictions, known as Section 106 agreements, that give priority to local people. CHL lets these homes in line with the agreements that are in place.

7.12 In some circumstances CHL will also agree a Local Lettings Plan for a neighbourhood. These Local Lettings Plans may give preference to particular



customer groups depending on the needs of that locality. Local Lettings Plans are time-limited and help to ensure neighbourhoods are great places to live.

- 7.13 CHL may also apply a sensitive let to a particular property when advertising via Cornwall Homechoice. This could be due to previous management issues such as anti-social behaviour or a vulnerable neighbour. The aim is to create a stable community by preventing similar problems occurring again.

## **8. MOVING OF EXISTING RESIDENTS**

- 8.1 CHL will offer advice and assistance to residents that wish to move home due to a range of different reasons. Pathways open to existing residents are detailed below:

- Applications from existing residents are awarded priority for allocation of housing through the Cornwall Homechoice process on the same basis as other housing applications, each application being given a banding priority according to housing need. This takes into consideration both the statutory requirement to give reasonable preference to particular groups, and the locally established additional preferences.
- Existing residents will only be offered a transfer to another CHL property if they can demonstrate a clear rent account, that they have conducted their tenancy in an acceptable way and that the property is in good condition with no neglect or damage caused by the resident or anyone visiting their property. Any damage will need to be made good before a transfer will be considered and all alterations need to have been granted permission by CHL in line with the current alterations policy.

### **Managed Move:**

- 8.2 Managed moves are there to facilitate the relocation of CHL tenants from one property to another within CHL's housing stock. The aim is to address exceptionally urgent housing need by enabling customers to move to more suitable accommodation when that need that cannot be met through the Homechoice system.
- 8.3 CHL recognises that there may be circumstances where the only and most effective and timely way an exceptionally urgent housing need can be resolved for an existing customer is using a managed move.
- 8.4 In the interests of fairness to all applicants seeking housing, managed moves are kept to a minimum and will be considered when all other options have been explored including action against offenders and supporting the work of appropriate agencies, including the Police, the Local Authority and Health Service. A decision on

a managed move will only be made when all relevant information has been considered.

- 8.5 Examples of when a Managed Move may be considered but are not limited to, are:
- Victims of crime, serious anti-social behaviour, harassment, hate crime or domestic abuse that puts the customer's life at risk; where it is no longer safe to remain where they are, or where the impact through a trauma informed lens, is such that the customer can no longer reasonably be expected to live in the property.
  - Where permanent rehousing is required to allow major repairs to be carried out and remaining in the property will cause serious disruption to family life and potentially a health and safety risk.
  - Where there is an urgent medical or disability need which means that the customer cannot access or continue to occupy their current home
- 8.6 It's recognised that no set formula or assessment criteria can be adopted for managed moves. Each customer or household is individual, and their circumstances are unique to them.
- 8.7 A managed move will be considered on a case-by-case basis and having a cohort of subject matter experts to form a Managed Move Panel aims to ensure there is consistency in the decision-making process and an understanding of the thresholds to accept a referral.
- 8.8 The details of the Managed Move process are outlined in the CHL Managed Move Policy.

## **9. APPEALS**

- 9.1 If an applicant believes that they have not been offered or granted the correct type or length of tenancy or their application for housing has been rejected, they can make an appeal for the decision to be reviewed.
- 9.2 The appeal must be in writing usually within 14 days of the decision, in some urgent cases this may be less; CHL will advise in writing of the deadline for any appeal.
- 9.3 An applicant has the right to appeal against a number of housing decisions including:
- The type of tenancy being offered
  - The decision to reject an application for housing
- 9.4 All appeals will be responded to in writing, within 10 working days; where circumstances prevent this, CHL will provide the applicant with the reasons why and agree with them an updated timeframe to respond.

## **10. MONITORING AND REVIEW**

- 10.1 CHL aims to ensure the effective management of the allocations and lettings service and will work with CC to identify trends or areas of concerns which may change the delivery of this service.
- 10.2 The Executive Leadership Team will receive regular reports on performance, potential changes and any learning points identified.
- 10.3 This policy will be reviewed every two years unless legislation or best practice requires further change.

## **EQUALITY AND DIVERSITY**

We are committed to treating all people with fairness and respect. We aim to create an inclusive environment where people are treated with dignity, inequalities are challenged, and we anticipate and respond positively to different needs and circumstances to enable individuals to achieve their potential and foster good relations within the communities we serve. We want to be recognised as an organisation delivering fair, inclusive, accessible services and an employer and partner of choice.

When applying this policy, we act sensitively towards the diverse needs of individuals and to reduce discrimination and harassment by making reasonable adjustments such as:

- eliminating discrimination – by providing support to those who need it and information in accessible formats and languages on request.
- tailoring the policy to meet both the specific needs of the individual, including those with additional support needs, and the diverse needs of the wider community
- advancing equality of opportunity – treating all tenants fairly
- fostering good relationships – listening to customers and responding appropriately
- compliant with all aspects of Equality & Diversity legislation, and specifically the Equality Act 2010.

## REFERENCE DOCUMENTS

This It is important to read this policy in conjunction with the other relevant CHL document and legislative listing below:

- CHL Tenancy Policy
- CHL Decants Policy
- CHL ASB Policy
- CHL Domestic Abuse and Sexual Violence Policy
- CHL Mutual Exchange Policy
- CHL Managed Moves Policy
- Cornwall Homechoice Policy
- Relevant Housing Acts as amended by the Localism Act 2011
- The Regulator of Social Housing's Consumer Standards
- The Domestic Abuse Act 2021
- The Equality Act 2010
- Social Housing Act 2023
- Rehabilitation of offenders Act 1974
- The Prevention of Social Housing Fraud Act 2013

## Contact us:

Email: **[info@cornwallhousing.org.uk](mailto:info@cornwallhousing.org.uk)**

Telephone: **0300 1234 161**

By letter: **Cornwall Housing, Chy Tревail, Beacon Technology Park, Bodmin, PL31 2FR**

**[www.cornwallhousing.org.uk](http://www.cornwallhousing.org.uk)**

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