

Westmeath County Council and Athlone Town Council

SCHEME OF PRIORITIES

FOR

LETTING OF SOCIAL HOUSING ACCOMMODATION

1.0 Introduction

Under Section 11 of the Housing Act, 1988 each Housing Authority is required to prepare a Scheme of Priorities for the Letting of Social Housing Accommodation.

The purpose of this Scheme of Letting Priorities is to provide a means for determining the order of priority to be accorded in letting of the **Council's** dwellings to persons whose needs has been established by the **Council** through their inclusion in the most recent assessment of housing needs, or their acceptance afterwards for inclusion in the next such assessment. Existing tenants who wish to transfer from their existing tenancy are also covered by terms of the Scheme.

To be eligible for inclusion in the assessment an applicant must be in need of accommodation and be unable to provide it from his or her own resources.

This is a unitary scheme and applies to Housing Applicants and Transfer Applicants alike.

It is proposed that the terms of this scheme will also apply when the Council are allocating tenancies to Voluntary Housing Schemes.

2.0 Procedure for inclusion on Housing List

For a person to be considered for housing accommodation by the Council they must:

1. Complete an application form for housing assistance. This application will be examined by the Council and additional information such as income details may be sought.
2. The application will then be referred to the Midland Health Board for assessment of the applicants housing circumstances by an Environmental Health Officer.
3. The Environmental Health Officers report is then sent to the Council who use it as a basis for determining the applicant's eligibility for inclusion on the housing needs list.
4. When an applicant is approved for inclusion on the housing needs list in accordance with the scheme they are placed in a category as set out in Section 9 of the Housing Act 1988.

These categories are generally as follows:

- Homeless
- Travellers
- Unfit Accommodation
- Overcrowded
- Medical/ Compassionate
- Sharing Involuntary
- Elderly
- Special Needs Applicants
- Leaving institutional care
- Not able to meet cost

Applicants may also be eligible for other housing services such as:

- Improvement works in lieu of re-Housing
- Affordable Housing
- Shared Ownership Loans

3.0 General Rules relating to Housing Applicants

3.1 Age.

An applicant must have reached the age of 18 years before an application for housing assistance is considered. Applicants under 18 years who have dependent children may also be considered.

3.2 Residential Requirement.

An applicant must have the legal right to reside in the state and be eligible to apply for social housing in accordance with requirements as prescribed by Government policy.

3.3 Separated Spouses/ Partners.

Where applicants are owners or joint owners or tenants or joint tenants of dwellings, but are not living in those dwellings due to irreconcilable differences, such applicants may be considered for housing if, where appropriate, a legal separation agreement has been entered into and all other eligibility requirements apply.

3.4 Applications from former Tenants

Former tenants of the Council or indeed of any Housing Authority will be placed on the Housing List in accordance with the scheme if they comply with the following:

- They are in need of accommodation and are unable to provide it from their own resources;
- They did not abandon their tenancy;
- The rent account on their previous tenancy is clear;
- The letting conditions relating to their previous tenancy were complied with, in particular the provisions relating to Estate Management and Anti-Social behaviour;
- Property from previous tenancy was handed back in good condition.

3.5 Illegal occupation of Council dwellings

Applicants who take up illegal occupation of a Housing Authority property or Approved Voluntary Housing Association property will not be considered for the tenancy of any Council dwelling for a period of at least two years.

3.6 Vetting

All Housing Applicants will be vetted on Estate Management grounds. Those applicants who are found to have engaged in anti-social type activities within the preceding two years may have their application removed from the list forthwith. An application so removed may re-apply when two years have lapsed from the date of their last known episode of anti-social behaviour.

The vetting process may involve liaison with a local Residents Association.

3.7 Other Housing Options

An application may be refused, if in the opinion of the Local Authority, the applicants accommodation needs would be better served by other housing options such as Affordable Housing, Shared Ownership etc.

3.8 Elderly Property Owners

Elderly persons who are owners of private dwellings and wish to be considered for tenure of more suitable accommodation provided by the Council may be considered subject to agreement of various requirements such as:

- The Council is given the option to purchase their existing dwelling at a cost 50% of the market value.
- If the Council do not wish to acquire the dwelling, the dwelling will be sold on the open market by the applicant and 50% of the sale proceeds will be paid to the Council.

This provision is intended to facilitate elderly dwelling owners where their dwelling is too large for their needs and more suitable type of housing could be provided by the Council or, in cases, where they wish to move to a more suitable location such as from a rural location to an adjacent town or village.

4.0 Allocation of Dwellings

4.1 Allocation Procedure

When dwellings become available to the Council such as through the Council's Capital Housing Programme or vacation of a dwelling by a tenant, these dwellings will be allocated to persons who have applied for and have been approved for inclusion in the Council's housing needs list. This **Scheme of Letting Priorities** will determine the order or priority of approved applicants for housing accommodation when such accommodation becomes available.

It is proposed that this order of priority will be determined by a points system as set out at Appendix A.

4.2 Tenancy Agreement

Persons offered tenancy will be required to sign a tenancy agreement with the Council that sets out the terms of the tenancy. A tenants handbook will issue to all new tenants setting out the roles and responsibilities of the tenant and the Local Authority.

4.3 Tenant Induction

New Schemes:

- Applicants provisionally offered tenancy in a new scheme will be required to complete a pre-tenancy training course. Failure to complete pre-tenancy training may result in provisional offer being withdrawn.

Casual Lettings:

- For all other allocations, tenancy will be under Licence pending successful completion of pre-tenancy training

4.4 Differential Rent

Each tenant is required to pay a weekly rent in accordance with the Council's **Differential Rent Scheme**. This scheme determines the level of rent payable by the tenant and is related to household income and the accommodation provided. This scheme will be reviewed on a regular basis by the Council.

4.5 Tenancy under Licence Agreement

The Council may in certain circumstances when considered appropriate allocate a tenancy under a Licence Agreement. The Licence Agreement relates to the granting of a temporary tenancy. This will normally be for a period of six months after which time a review will be undertaken. A decision will then be made regarding the extension of licence or granting of full tenancy.

5.0 Special Category Allocations

The Council may from time to time set aside for persons of such category or categories as the Council may decide, a particular number or proportion of dwellings becoming available to the Authority for letting and priority shall be afforded to the specified categories in the letting of these dwellings. These categories include:

- **Homelessness:** As defined under Section 2 of the Housing Act 1988
- **Travellers:** In accordance with the Council's Traveller Accommodation Plan
- **Elderly:** Accommodation specifically provided for elderly
- **Refugees:** To achieve a social mix and constitute good estate management
- **Special Needs:** As assessed by the Council's Occupational Therapist
- **Rural Houses:** Where the site is provided by the applicant
- **Transfers:** (Per Section 8) on the basis of overcrowding, downsizing etc.
- **Succession of Tenancy:** on the death of a tenant, the tenancy may be transferred to the tenants partner/ spouse or to a member of the tenants immediate family normally resided in the dwelling and was declared for rent purposes at the time of the tenant's death.

5.2 Emergency Lettings by Director of Services Prerogative

Nothing in the Scheme shall operate to prevent the County Manager/ Director of Service from allocating a Tenancy in emergency circumstances.

5.3 Tenancies in Joint Names

Tenancies of local authority dwellings will normally be in joint names of husband and wife or partners, where appropriate, but the County Manager/ Director of Services may put the tenancy in the name of either party in exceptional circumstances. In cases other than

7.3 Age.

An applicant must have child dependents or have reached the age of 18 years before an application is considered.

7.4 Residential Requirement.

An applicant must have the legal right to reside in the state.

7.5 Separated Spouses/Partners.

Where applicants are owners or joint-owners or tenants or joint-tenants of dwellings, but are not living in those dwellings due to irreconcilable differences, such applicants may be considered for housing if, where appropriate, a legal separation agreement has been entered into and all other eligibility requirements apply.

7.6 Applications from Former Tenants.

Former tenants of the Council or indeed of any Housing Authority will be placed on the housing list if they comply with the following:

- ◆ They are in need of accommodation and are unable to provide it from their own resources.
- ◆ They did not abandon their tenancy
- ◆ The rent account on their previous tenancy is clear.
- ◆ The letting conditions relating to their previous tenancy were complied with in particular the provisions relating to Estate Management and Anti Social behaviour.

The County Manager/ Director of Services may in exceptional circumstances waive compliance with any or all of the above conditions.

7.7 Mutual Transfers

A tenant of the Council, may with the consent of the County Manager/ Director of Services, exchange the tenancy of his/ her existing dwelling for the tenancy of another Council, Housing Authority or Approved Voluntary Housing Association dwelling within the County.

Applications for transfer between a Council tenant and another Housing Authority tenant are subject to the approval of both the Council and the other Authority. Applications for transfer between a Council tenant and an Approved Voluntary Housing Association tenant are subject to the approval of both the Council and the Association. In addition, the Council's consideration of a transfer application will have regard to the following:

- The reasons given by the applicant for the transfer
- If the transfer would result in overcrowding in either moving group
- If the transfer would result in under utilisation of either dwelling

If the Council is satisfied that there has been any financial gain by either party as a direct result of the transfer, e.g., *any payment being made by one party to the transfer to the other party to the transfer in respect to any aspect of the transfer*, the application will be refused and removed from the transfer list for a period of two years. If evidence received after the transfer takes place the transfer will be reversed.

Applicants will be required to sign a declaration that they will go into occupation of and continue to occupy the respective dwellings. If the parties do not take up residence within a period of six months of approval by the Council the proposed mutual transfer should not take place.

8.0 Estate Management

Westmeath County Council's policy in the management of its housing stock is to encourage tenant participation in estate management. This process involves the participation of tenants in their local Residents Associations and also the engagement of the Council in consultation with these Associations. The objective of this process is to harness resources to improve the social or physical environment and to enhance interaction between the Council and the community. From initial tenancy training each tenant will be encouraged to participate in good practice in Estate Management and the Council will aim to support this objective.

9.0 Repossession of Dwelling

The Council maybe required in certain circumstances to repossess a dwelling due to failure of the tenant to comply with the terms of the tenancy agreement. This may include the following:

- Failure of the tenant to pay rent
- Engagement in anti-social activity
- Failure to maintain the property
- Any breach of Tenancy Agreement

10.0 Appeals Procedure

10.1 An applicant who is refused inclusion, deducted points or removed from the housing list has a right to appeal this decision in accordance with the Council's Customer Service Action Plan,

- Appeals are to be made in writing to Senior Executive Officer, Housing Section
- The County Manager/ Director of Services has final decision in cases of dispute

APPENDIX A

A.0 Points System

A.1 Criteria to be considered

Various criteria may be used when assessing applicants and the priorities, which should apply when allocating housing accommodation. The following criteria will be used:

Time on the list – Starts on receipt of fully valid application

Area Preference – No points awarded until allocation is being considered

Time Residing within area – County of Westmeath

Number of persons in household

A.2

1 point per month from receipt of valid application

Where an applicant has been removed from the approved Housing Waiting List and reapplies at a later date, the Director of Services for Housing will determine the level of points to be carried forward from the initial application.

A.3 Area Preference

When an application is made for housing assistance the applicant will be required to express a preference for the town or village in the County where they wish to be housed and points will be awarded as follows:

1 st preference	15 points
2 nd preference	05 points

Applicants will be allowed to change their area preference at any time following their inclusion on the waiting list. However, points for the revised area preference will only be awarded after a period of eighteen months from the time of change of preference.

Where the Council are allocating houses in an area adjacent to an applicants preferred area and the Council have no proposals in the short term to construct houses in the area of the applicants preference, the Council may award points to the applicant on the basis that the location of the house to be allocate are the applicants preferred areas.

A.4 Residents of County Westmeath

A housing applicant who has been a permanent resident of County Westmeath for a period of not less than one year prior to application **20points**

A.5 Family Size

Family size

5 points per household member

A.6 Type of Letting

Notwithstanding the outcome of the points system the Council must have regard to the objective of matching the needs of the applicants household with the type of accommodation available for letting.

A.7 Discretion

The Director of Service, Housing, may at his discretion overrule the results of the points system where he is satisfied that circumstances warrant this course of action.