

Housing Selection Scheme Rules

Housing Policy Unit

DOCUMENT CONTROL SUMMARY

Title	Housing Selection Scheme Rules
Aim	The Housing Executive is required by Article 22 of the Housing (N) Order, 1981 to allocate dwellings in accordance with a scheme approved by the Department of Social Development for Northern Ireland. Similarly, every Registered Housing Association is required to allocate its accommodation on the basis of a scheme approved by the Department for Social development. This is laid down by the Tenants' Guarantee, which is issued by the Department using its powers under Article 11 of the Housing (NI) Order 1992. The Housing Selection Scheme represents a single gateway into social housing in N. Ireland, let on a permanent basis, whether owned and managed by the Housing Executive or any of the Housing Associations operating in N. Ireland. It provides a 'one stop shop' for applicants and further promotes equitable treatment by using common criteria to assess the housing needs of all applicants.
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Part 1 Preliminary

Rule 1 Definitions

1) The Landlord

- a) In parts 1-3 of this Scheme the term “Landlord”, means the Participating Landlord to whom any particular Applicant has submitted his / her application form.
- b) In part 4 of this Scheme the term “Landlord” means the Participating Landlord who makes, or who should make, an offer of accommodation to that Applicant.

2) Participating Landlord

In this Scheme “Participating Landlord” means the Executive or any registered housing association which is participating in the Common Selection Scheme.

3) Housing Executive

In this Scheme the “Housing Executive” means the Northern Ireland Housing Executive.

4) The Applicant

The person in whose name an application is registered will be deemed to be the “Applicant” and will be treated as the representative of all persons intending to live together as specified on the application form. The term “Applicant” includes applicants.

5) Full Duty Applicant

A Full Duty Applicant is a person to whom the Executive owes a duty under Article 10 (2) of the Housing (NI) Order, 1988 to “secure that accommodation becomes available for his / her occupation”.

6) Designated Officer

In relation to any particular paragraph of this Scheme, the term “Designated Officer” means the Officer (whether of the Executive, or of any other Landlord) who is duly authorised to perform the function or to decide the issue referred to in that paragraph.

7) Accommodation Needs

In considering an Applicant’s needs pursuant to this Scheme, due regard shall be paid, not just to the Applicant’s personal needs, but also to the needs of all other persons who might reasonably be expected to reside with the Applicant.

8) Restricted Persons

A restricted person means a person –

- (a) Who is not eligible for assistance under Part II of the Housing (NI) Order 1988, as amended,
- (b) Who is subject to immigration control within the meaning of the asylum and Immigration Act 1996, and
- (c) Either –
 - i. Who does not have leave to enter or remain in the United Kingdom, or

- ii. Whose leave to enter or remain in the United Kingdom is subject to a condition to maintain and accommodate himself, and any dependants, without recourse to public funds.

Rule 2 Statutory Basis

This is the Scheme within the meaning of Article 22 of the Housing (NI) Order, 1981, which makes provision for determining the order in which prospective tenants of the Housing Executive's dwellings are to be granted tenancies of those dwellings.

Rule 3 Replacement Scheme

Article 22(4) of the Housing (Northern Ireland) Order 1981 provides for a replacement allocation scheme being submitted by the Housing Executive, approved by the Department and operated by the Housing Executive. This Scheme, with effect from 1st November 2000 replaces the Article 22 Scheme currently being operated by the Housing Executive. [This Scheme with effect from 1st November 2000 replaces the existing allocation scheme currently being operated by the Landlord for the allocation of accommodation on a permanent basis.]

Rule 4 Scope of the Scheme

1. All parts of this Scheme apply in relation to all applications first made to a participating Landlord on or after the date on which this Scheme comes into operation.
2. Parts 3 and 4 of this Scheme apply (in place of any equivalent provisions of any other scheme) in relation to any current application to a participating Landlord which was first made prior to 1st November 2000.
3. Applications pending at 1st November 2000 will be assessed and ranked under this Scheme, regardless of whether they have been assessed and / or ranked under any other scheme.

Rule 5 Boundaries of the Scheme

As a general rule the Scheme will apply to all applications to the Landlord for accommodation on a permanent basis. In particular the Scheme will not apply to accommodation for which the Landlord is providing support and / or shelter pending housing on a permanent basis.

Rule 6 Joint Applications

Any eligible application can be made in joint names, provided each joint applicant is currently living in the same household, or plans to live in the same household in the event of a dwelling being allocated pursuant to the Scheme. For the avoidance of doubt, in the case of joint applications, each Applicant must be eligible under Part 2 of the Scheme.

Rule 7 Choice of Landlord

An application to any Participating Landlord will be deemed to be an application to all Participating Landlords unless two conditions are satisfied:

1. the Applicant is not a Full Duty Applicant; and
2. the Applicant has expressly stated, in writing, that he/she does not wish to apply to a particular Participating Landlord (or Participating Landlords).

Rule 8 Legislation

It is noted that the Housing Executive continues to be subject to the legal requirements imposed upon it. The other rules of this Scheme must be construed in the light of the Housing Executive's obligations in that connection. [It is noted that the Landlord continues to be subject to the legal requirements imposed upon it. The other rules of this Scheme must be construed in the light of the Landlord's obligations in that connection.]

Part 2 Eligibility

Rule 9 Eligibility criteria

An Applicant is eligible to apply under this Scheme only if:

1. The Applicant complies with the Application Requirements as set out in paragraph 10 below; and
2. The Applicant complies with any of the requirements set out in sub-paragraphs a) to c):
 - (a) the Applicant is a Full Duty Applicant pursuant to the Housing (N.I.) Order, 1988; or
 - (b) the Applicant has been nominated through the National Mobility (HOMES) Scheme; or
 - (c) the Applicant meets both Age Requirements as defined in paragraphs 11-13 below and the Connection With Northern Ireland Requirements as defined in paragraph 14.

Rule 9A Ineligibility

An Applicant is also ineligible to apply (or to continue to apply) under this Scheme if he/she is a person who cannot be allocated accommodation by the Housing Executive because of:

- (a) the terms of Article 22A of the Housing (N.I.) Order 1981 (or any statutory modification or replacement of that Article); or
- (b) because of a decision made by the Housing Executive under paragraph (6) of that Article.

Rule 10 The Application Requirements

The Applicant must comply with all of the following:

1. The Applicant completes an application form containing such particulars as are required by the Landlord;
2. The Applicant renews his / her application each year;
3. The Applicant promises to notify the Landlord if there is any material change in his / her circumstances that might affect his / her place on the list.
4. The Applicant is not included in any other pending application under this Scheme.

Rule 11 The Age Requirements

The general rule is that an Applicant must have attained the age of 18 years at the date of application.

Rule 12 The Age Requirements

The only exceptions to that general rule are that the Applicant is aged at least 16 and:

1. is leaving care;

2. is a person, in relation to whom a duty is owed under Article 46 of the Children (NI) Order 1995;
3. has a dependent child or children;
4. is married, or has formed a civil partnership, with no children
5. the Applicant has an essential need for specific, independent living accommodation, because without that particular accommodation, the Applicant will have to refuse:
 - (i) a specific offer of substantial training; or
 - (ii) a specific offer of employment

Rule 13 The Age Requirements

An application from an individual who has not attained the age of 18 years at the date of application and who does not come under any of the categories referred to in paragraph 12 will be deferred until the individual attains the age of 18 years.

Rule 14 Connection with Northern Ireland Requirements

The Applicant meets the connection with Northern Ireland requirements if the Designated Officer is satisfied the Applicant has a substantial connection with Northern Ireland in that:

1. The Applicant (or a member of the Applicant's household) is, or in the past was, ordinarily or habitually or normally resident there, and that residence is, or was, of his or her own choice; or
2. The Applicant (or a member of the Applicant's household) is employed, or is making bona fide attempts to seek employment in Northern Ireland; or
3. The Applicant (or a member of the Applicant's household) has a substantial connection because of other circumstances.

Part 3 Ranking of Applicants

Rule 15 Ranking of Applicants

The housing selection process will rank Applicants on a Waiting List used by all Participating Landlords on a pointed basis, in descending order according to housing need. There will be four sections whereby Applicants may be awarded points namely:

1. Intimidation
2. Insecurity of Tenure
3. Housing Conditions
4. Health/Social Well Being Assessment

Applicants will be considered under each Section of this Part of the Scheme. Points will be awarded on a cumulative basis unless otherwise stated (see Schedule 4).

Rule 16 Ranking of Applicants

Where points are equal, the date on which the application is received will decide the order in which Applicants are offered accommodation.

Rule 17 Ranking of Applicants

Individuals with complex needs whose agreed housing option is housing with care schemes are an exception to this selection process. Arrangements for selection of such Applicants are outlined in paragraphs 19-22.

Rule 18 Deliberate Worsening of Circumstances

If a Designated Officer is satisfied that an Applicant has deliberately worsened his / her circumstances, in order to gain a higher ranking on the Waiting List, the Officer may decide to defer for a period of two years the advantage of any additional points which might otherwise have been granted because of that change in circumstances.

Rule 19 Applicants with Complex Needs

An Applicant with complex needs will be considered for housing as a result of a direct referral process from the Health and Social Services sector or, as an exceptional case arising from defined criteria identified in the health / social well being assessment process of the Scheme.

Rule 20 Applicants with Complex Needs

Where the agreed re-housing option is housing with care, the Applicant will be placed on a separate, administrative, non-pointed list.

Rule 21 Applicants with Complex Needs

Allocations from this list will be made on the basis of:

1. The individual needs of the Applicant;
2. The needs of other residents in accommodation for which the Applicant is being considered;
3. The interests of good housing management.

Rule 22 Applicants with Complex Needs

Where all such factors are equal, date order of application will be used to determine the order in which Applicants are offered accommodation.

Section 1 Intimidation

Rule 23 Intimidation

An Applicant will be entitled to Intimidation points (see Schedule 4) if any of the following criteria apply in respect of the application:

1. The Applicant's home has been destroyed or seriously damaged (by explosion, fire or other means) as a result of a terrorist, racial or sectarian attack, or because of an attack motivated by hostility because of an individual's disability or sexual orientation, or as a result of an attack by a person who falls within the scope of the Housing Executive's statutory powers to address neighbourhood nuisance or other similar forms of anti-social behaviour.
2. The Applicant cannot reasonably be expected to live, or to resume living in his/ her home, because, if he or she were to do so, there would, in the opinion of the Designated Officer, be a serious and imminent risk that the Applicant, or one or more of the Applicant's household, would be killed or seriously injured as a result of terrorist, racial or sectarian attack, or an attack which is motivated by hostility because of an individual's disability or sexual

orientation, or as a result of an attack by a person who falls within the scope of the Housing Executive's statutory powers to address neighbourhood nuisance or other similar forms of anti-social behaviour.

Rule 23A Intimidation

An individual will be entitled to intimidation points under Rule 23 (see Schedule 4), if all of the following criteria are met:

1. That he/she was housed on or after 1st May 2006; and
2. That, at the time he/she was housed, he/she did not satisfy all of the criteria of Rule 23 in its former version, but that he/she would satisfy the criteria in the current Rule 23; and
3. That the application under this rule is made within three months of the coming into operation of the current Rule 23.

Section 2 Insecurity of Tenure

Rule 24 Homelessness

1) Homeless / Threatened with Homelessness - Full Duty Applicant (F.D.A.)

- (a) Full Duty Applicants, as defined in paragraph 1 of this Scheme, will be awarded points (see Schedule 4).
- (b) Such Applicants will also be entitled to Housing Conditions and Health and Social Well Being Points at the time of application and Interim Accommodation Points where relevant (see Schedule 4).

2) Other Homeless

Applicants, other than Full Duty Applicants, who have been found to be homeless because of any of the following factors, will be awarded points (see Schedule 4).

- (a) Marital / civil partnership / relationship breakdown, where there are no dependent children and the relationship has lasted more than one year and
 - i) no suitable, alternative, accommodation is currently available to the Applicant; and
 - ii) the Applicant could not reasonably be expected to seek suitable, alternative, accommodation.
- (b) eviction, where the Applicant, or a member of the Applicant's household, has held an unprotected tenancy continuously for not less than two years immediately prior to the eviction and:
 - i) no suitable, alternative, accommodation is currently available to the Applicant; and
 - ii) the Applicant could not reasonably be expected to seek suitable, alternative, accommodation.
- (c) financial hardship, where the Applicant, or member of the Applicant's household, is forced to sell his / her property due to urgent and compelling reasons and
 - i) no suitable, alternative, accommodation is currently available to the Applicant; and
 - ii) the Applicant could not reasonably be expected to seek suitable, alternative, accommodation.
- (d) end of tied accommodation where the Applicant, or a member of his / her household, has been in employment (other than temporary or fixed term employment) for a period of at

least two years and the Applicant must leave that accommodation because of redundancy or retirement or the death of the tenant and

- i) no suitable, alternative, accommodation is currently available to the Applicant; and
 - ii) the Applicant could not reasonably be expected to seek suitable, alternative, accommodation.
- (e) end of Service in Armed Forces, where the Applicant, or member of the Applicant's household, is returning to civilian life or the widow(er) / civil partner of a recently deceased serviceman / woman who is no longer eligible for married or other service quarters and
- i) no suitable, alternative, accommodation is currently available to the Applicant; and
 - ii) the Applicant could not reasonably be expected to seek suitable, alternative, accommodation.
- (f) release from prison, where the Applicant has been released from prison and
- i) no suitable, alternative, accommodation is currently available to the Applicant; and
 - ii) the Applicant could not reasonably be expected to seek suitable, alternative, accommodation.
- (g) leaving hospital, where the Applicant is leaving hospital and
- i) no suitable, alternative, accommodation is currently available to the Applicant; and
 - ii) the Applicant could not reasonably be expected to seek suitable, alternative, accommodation.
- (h) leaving institutional care, where an Applicant is leaving care and
- i) no suitable, alternative, accommodation is currently available to the Applicant; and
 - ii) the Applicant could not reasonably be expected to seek suitable, alternative, accommodation.
- (i) leaving care, foster care or in relation to whom a duty is owed under the provisions of the Children's Order, where the Applicant is a young person in such circumstances.
- (j) a dwelling which has been served with a closing or demolition order or which has been acquired by a body with compulsory purchase powers, where the Applicant is residing in such accommodation, and
- i) no suitable, alternative, accommodation is currently available to the Applicant; and
 - ii) the Applicant could not reasonably be expected to seek suitable, alternative, accommodation.
- (k) persistent change of address in order to obtain shelter;
- (l) leaving hostel accommodation, where an Applicant has been residing in such accommodation for a continuous period of more than six months and
- i) no suitable, alternative, accommodation is currently available to the Applicant; and
 - ii) the Applicant could not reasonably be expected to seek suitable, alternative, accommodation.
- (m) in circumstances analogous to those listed in sub-paragraphs a) to l) above and exceptional hardship would be caused by the withholding of this award of points and
- (n) no suitable, alternative, accommodation is currently available to the Applicant; and
- i) the Applicant could not reasonably be expected to seek suitable, alternative, accommodation.

3) Interim Accommodation Points

These points will be awarded to a Full Duty Applicant who has been residing for six months in accommodation provided to him / her in discharge of the Housing Executive's interim duty under the Housing (N.I.) Order, 1988. These points will be in addition to Homeless / Threatened with Homelessness-Full Duty Applicant Points (see Schedule 4).

Rule 24A Homelessness

1. A Full Duty Applicant will not be entitled to points under Rule 23 or Insecurity of Tenure points under Rule 24 if the Housing Executive decides that the Applicant is homeless, threatened with homelessness, or has a priority need but would not have done so without had regard to a member of the household.
2. An Applicant, other than a Full Duty Applicant, will not be entitled to points under Rule 24 if the Housing Executive decides that any of the requirements as set out in paragraph (2) of that Rule are met but would not have done so without having had regard to a member of the household who is a restricted person.
3. This Rule comes into operation on 2 March 2009.

Section 3 Housing Conditions

Rule 25 Sharing

Sharing points (see Schedule 4) will be awarded to an Applicant who, in his / her present accommodation, is required to share any of the rooms / facilities listed below in sub-paragraphs 1) to 4) with any person who will not be moving with the Applicant when re-housed and provided the Applicant has not the prior right of facilities:

1. kitchen
2. living room
3. toilet
4. bath / shower

Rule 26 Sharing

For the purposes of awarding points in recognition of this housing condition, there are three classifications of Applicant:

1. An Applicant with dependent children;
2. An Applicant aged 18 years and over without dependent children;
3. An Applicant aged 16-18 years without dependent children.

Rule 27 Sharing

An Applicant aged 16-18 years will only be entitled to sharing points if he / she is sharing with someone outside the family as defined in Article 2(4) of the Housing (N.I.) Order, 1981.

Rule 28 Overcrowding

Overcrowding points will be awarded to an Applicant if, in the view of the Designated Officer, that Applicant's current accommodation does not have the number and size of bedrooms reasonably required by the Applicant's household and all others residing in that accommodation.

Rule 29 Overcrowding

In making his / her decision under paragraph 28, the Designated Officer shall observe the following criteria:

1. Rooms which are less than 3.7 sq.m (40 sq.ft) will not be deemed suitable for use as a bedroom.
2. If a dwelling has two reception rooms, one of them will be counted as a bedroom.
3. Single parents and all adults (over 18 years old) will not be expected to share his / her bedroom.
4. A single bedroom between the sizes of 3.7 and 6.5 sq.m (40 - 70 sq.ft) is adequate for:
 - a. 1 child under 7 years old.
5. A single bedroom between the sizes of 6.5 and 9.3 sq.m (70 - 100 sq.ft) is adequate for any of the following:
 - a. 1 person of any age.
 - b. 2 persons of the same gender under 18 years old.
 - c. 2 children under 7 years old, regardless of gender.
6. A double bedroom over 9.3 sq m (100+sq.ft) is adequate for any of the following:
 - a. 1 person of any age.
 - b. 2 persons living as a couple.
 - c. 2 persons of the same gender under 18 years old.
 - d. 2 children under 7 years old, regardless of gender.
7. In addition to the size of the bedroom, consideration will be given to its shape and headroom. The room must be capable of containing a bed and appropriate furniture and allow sufficient access space.

Rule 30 Overcrowding

If, in the opinion of the Designated Officer, the Applicant's current accommodation does not meet the criteria set out in paragraph 29, an award of points will be made for each bedroom short of that criteria (see Schedule 4).

Rule 31 Lack of Amenities and Disrepair

Lack of Amenities / Disrepair points will be awarded to an Applicant if the Applicant's current accommodation does not meet each of the criteria set out in sub-paragraphs 1) – 8) below (see Schedule 4).

1. An Applicant shall be awarded points if, in the opinion of the Designated Officer, the Applicant's current accommodation is not free from serious disrepair (see Schedule 4).
2. An Applicant shall be awarded points if, in the opinion of the Designated Officer, the Applicant's current accommodation is not free from dampness which is prejudicial to the health of the occupants (see Schedule 4).
3. An Applicant shall be awarded points if, in the opinion of the Designated Officer, the Applicant's current accommodation does not have adequate provision for lighting, heating and ventilation (see Schedule 4).
4. An Applicant shall be awarded points if, in the opinion of the Designated Officer, the Applicant's current accommodation does not have an adequate supply of wholesome water (see Schedule 4).

5. An Applicant shall be awarded points if, in the opinion of the Designated Officer, the Applicant's current accommodation does not have satisfactory facilities for the preparation and cooking of food, including a sink with a satisfactory supply of hot and cold water (see Schedule 4).
6. An Applicant shall be awarded points if, in the opinion of the Designated Officer, the Applicant's current accommodation does not have a suitably located water-closet (w.c.) for the exclusive use of the occupants (see Schedule 4).
7. An Applicant shall be awarded points if, in the opinion of the Designated Officer, the Applicant's current accommodation does not have, for the exclusive use of the occupants a suitably located fixed bath or shower each of which is provided with a satisfactory supply of hot and cold water (see Schedule 4).
8. An Applicant shall be awarded points if, in the opinion of the Designated Officer, the Applicant's current accommodation does not have an electricity supply (see Schedule 4).

Rule 32 Time in Housing Need

An Applicant with points who has been on the Waiting List for two years or more will be entitled to Time in Housing Need points. These points will be awarded annually for a maximum of five years subsequent to the initial two year waiting time (see Schedule 4).

Section 4 Health/Social Well Being Assessment

Rule 33 Health/Social Well Being Assessment

This section of the Scheme measures the ability of an Applicant, or a member of the Applicant's household, to manage adequately within their existing home.

Rule 34 Health/Social Well Being Assessment

A Health / Social Well Being Assessment may be carried out under the following four headings:

1. Functionality
2. Support / Care Needs
3. Social Needs
4. Complex Needs

Rule 35 Health/Social Well Being Assessment

The Assessment differentiates between Applicants by determining the extent to which functional ability, support needs or adverse social factors may be alleviated through re-housing.

Rule 36 Health/Social Well Being Assessment

While the Support Needs of all Applicants will be assessed, points under this heading will only be awarded to those Applicants seeking sheltered or supported housing.

Rule 37 Functionality

The ability of an Applicant or a member of the Applicant's household to function within his / her current accommodation will be assessed using a functionality matrix (see Schedule 1). The scoring from this matrix will be added to the total points awarded to the Applicant (see Schedule 4).

Rule 38 Unsuitable Accommodation

This award of points will be made in addition to Functionality Points (see Schedule 4) where:

1. a second person in the Applicant's household scores above a threshold of points (as specified in Schedule 1) on the Functional Matrix; or
2. the Applicant or a member of his / her household has difficulty gaining access to his / her accommodation which is above ground floor level and is not served by a lift.

Rule 39 Support / Care Needs

An Applicant or a member of the Applicant's household, who, in the opinion of the Designated Officer, has support or care needs, will have his / her self-care and home management needs assessed using a support matrix (see Schedule 2). Only where the Applicant is seeking housing in a sheltered / supported scheme, will the scoring from the support matrix be added to the total points score (see Schedule 4).

Social Needs

Rule 40 Assessment

An assessment will be carried out on the Applicant's need for re-housing as a result of adverse social or environmental factors.

Rule 41 Social Factors

The various social factors affecting the Applicant will be recognised by the award of points at an upper and lower level to reflect Primary Social Needs and Other Social Needs respectively.

Rule 42 Capping

An Applicant may be awarded points for a combination of factors; however points will be capped (see Schedule 4).

Primary Social Needs Factors

Rule 43 Primary Social Needs points

Primary Social Needs points (see Schedule 4) will be awarded in the following circumstances:

1. Where the Applicant or a member of the Applicant's household is experiencing or has experienced violence or is at risk of violence including physical, sexual, emotional or domestic violence or child abuse.
2. Where the Applicant or a member of the Applicant's household is experiencing or has experienced harassment, including racial harassment and there is fear of actual violence (but the criteria for the award of Intimidation points (see paragraph 23) are not met).
3. Where the Applicant or a member of the Applicant's household, is experiencing or has experienced fear of actual violence for another reason and the Applicant is afraid to remain in his / her current accommodation.
4. Where the Applicant, or a member of the Applicant's household, is experiencing or has experienced distress / anxiety caused by recent trauma which has occurred in the Applicant's current accommodation.

5. Where, in the opinion of Social Services, there is a need for re-housing, to prevent the Applicant or a member(s) of the Applicant's household going into care.
6. Where Social Services recommend that the Applicant or a member of the Applicant's household, move to larger or more suitable accommodation to enable him / her to become or continue to be a foster parent.
7. Where families with dependent children are living apart because of overcrowding or tension in previous accommodation, or where living together would result in children living in unsuitable accommodation.
8. In circumstances analogous to those listed in sub-paragraphs 1) to 7) above.

Other Social Needs Factors

Rule 44 Other Social Needs points

Other Social Needs points (see Schedule 4) will be awarded in the following circumstances:

1. Where the Applicant or a member of the Applicant's household, is experiencing or has experienced neighbour disputes and re-housing is likely to resolve the situation.
2. Where the Applicant, or a member of the Applicant's household, is experiencing or has experienced harassment but there appears to be no fear of actual violence.
3. Where the Applicant or a member of the Applicant's household is experiencing or has experienced burglary or vandalism and there is an inability to cope at his / her current accommodation.
4. Where the Applicant, or a member of the Applicant's household, has been awarded staying or weekend access to dependent children and his / her current accommodation is unsuitable to facilitate this access.
5. Where the Applicant's current accommodation is too expensive.
6. Where the Applicant and member(s) of the Applicant's household, are unable to maintain their current accommodation.
7. Where a member of the household who will not be moving with the Applicant has a medical condition which is exacerbated by having the Applicant(s) in his / her home.
8. Where the Applicant, or a member of the Applicant's household, has experienced recent bereavement in his / her current accommodation and requests re-housing and the same is likely to be beneficial.
9. Where the Applicant is unable to reside with his / her partner for reasons beyond their control and there are no dependent children.
10. Where the Applicant or a member of the Applicant's household is socially isolated in their current accommodation and re-housing would be of clear benefit to him / her.
11. Where the Applicant needs to move to take up a new job or a full time course of study and he / she does not reside within reasonable travelling distance.
12. Where the Applicant needs to live in area to receive or give support.
13. Where the Applicant needs re-housing to be near to family for the provision of child-care to assist employment.
14. Where the Applicant needs to move to be near hospital, day centre, specialised unit of education or other essential facilities which would be of clear benefit to the Applicant or a member of the Applicant's household.

15. Where alternative accommodation is recommended by Social Services to meet the specific needs of the Applicant or a member of the Applicant's household because:
 - a. an extra room is needed for specialist medical equipment; or
 - b. an additional room is needed to accommodate a live-in carer; or
 - c. the Applicant's current accommodation is particularly unsuitable.
16. Where the Applicant's household contains a child less than 10 years of age and they are living in accommodation above ground floor level.
17. In circumstances analogous to those listed in sub-paragraphs 1) to 16) above.

Complex Needs Points

Rule 45 Complex Needs

Where an Applicant or a member of the Applicant's household has been identified as having complex needs, a multi-disciplinary care assessment has been carried out and the housing option is general needs accommodation, the Applicant will be made an award of Complex Needs points and ranked as a pointed Applicant on a Waiting List used by all Participating Landlords (see Schedule 4).

Part 4 Rules Governing Allocations

Rule 46 The General Rule (amended 13 Sept 2013)

All Applicants will be assessed and placed on a Waiting List which is used by all Participating Landlords. As a general rule each dwelling will be offered to the relevant Applicant with the highest points.

Rule 46A The General Rule (added 13th Sept 2013)

Offers of accommodation made to Transfer Applicants under and pursuant to Rules 71 and 72 are an exception to the general rule set out in Rule 46.

For the purposes of this Rule and Rules 71 and 72 Transfer Applicants mean ordinary transfer applicants and management transfer applicants. "

Rule 47 The General Rule

In the present context an Applicant is a 'relevant applicant' if:

1. he / she has applied for, or is deemed to have applied for accommodation with the locational and other characteristics of the dwelling in question, and
2. the Landlord is satisfied, on reasonable grounds, that the non-locational characteristics of the dwelling meet the Applicant's needs, and having regard to all of the circumstances, do not substantially surpass those needs.

Rule 48 The General Rule

The Designated Officer has the authority to depart from the general rule only in the following circumstances and subject to the following conditions:

1. Exceptionally, such a departure is highly desirable in order to match the special and specific needs of an applicant with the facilities and amenities accessible in a particular dwelling or location.
2. Any such departures from the general rule must be notified in writing within three months to the Board (Director of Housing, DOE in the case of housing associations).

Rule 49 Disqualification Criteria

The Landlord (as defined in paragraph 1(1)) may disqualify any Applicant, other than a Full Duty Applicant if the circumstances referred to in any of the sub-paragraphs listed in 1) to 10) below exist in respect of that Applicant:

1. within the past two years, a County Court has granted an Order for Possession of a dwelling belonging to a Participating Landlord which the Applicant held under a secure tenancy; or
2. the Applicant owes an amount equal to or greater than four times the weekly full rent and rates in relation to a previous tenancy / tenancies of a Participating Landlord and has not made an agreement to repay the same; or
3. the Designated Officer is satisfied, on reasonable grounds, that the Applicant was guilty of Serious Anti-Social Behaviour (as defined at paragraph 51 below) within the past two years; or
4. the Designated Officer is satisfied, on reasonable grounds, that the Applicant wilfully caused substantial damage to relevant accommodation, which the Applicant was occupying at that time, and that the damage was caused within the past two years; or
5. the Designated Officer is satisfied, on reasonable grounds, that the Applicant abandoned a tenancy of a Participating Landlord within the past two years without giving due notice to the Landlord of that accommodation; or
6. the Designated Officer is satisfied, on reasonable grounds, that the Applicant is currently squatting, or has squatted during the past two years, in a dwelling belonging to a Participating Landlord; or
7. the Designated Officer is satisfied, on reasonable grounds, that the Applicant, within the past two years, has assisted or acquiesced in another squatting in a dwelling, belonging to a Participating Landlord, of which the Applicant was the tenant / licensee; or
8. the Designated Officer is satisfied, on reasonable grounds, that (within the past two years) the Applicant has engaged in violent behaviour while placed in relevant temporary accommodation; or
9. the Designated Officer is satisfied, on reasonable grounds, that, within the past two years, the Applicant has been guilty of violent behaviour towards the staff of any Participating Landlord; or
10. the Designated Officer is satisfied on reasonable grounds that, within the past two years, the Applicant has knowingly made a false statement or has knowingly given false information or has knowingly withheld information, in order to obtain an allocation of housing from a Participating Landlord.

Rule 50 Disqualification Criteria

For the purposes of Paragraph 49, accommodation is “relevant accommodation” if any of the following conditions apply:

1. the property belongs to a Participating Landlord; or
2. the property belongs to an agent of a Participating Landlord; or
3. the Applicant at the relevant time, was occupying the accommodation in consequence of the discharge by the Executive of its interim / temporary accommodation duties under the Housing (N.I.) Order.

Rule 51 Disqualification Criteria

For the purposes of Paragraph 49, Serious Anti-Social Behaviour is behaviour which affects another individual in his / her capacity as a residential occupier and which threatens the physical or mental health, safety or security of that individual (or the individual's household). In particular, instances of Serious Anti-Social Behaviour are as follows:

1. The sale, supply and possession of illegal drugs.
2. Harassment and intimidation.
3. Any behaviour which causes, or is likely to cause, any significant or persistent danger, injury, loss or fear to any person living, working or otherwise lawfully in, or in the vicinity of, a dwelling.

Rule 52 Choice of areas

Where the Applicant has the right, he / she will be allowed to choose two areas in which to be re-housed.

Rule 53 Choice of landlords

An Applicant will be considered for all properties of all Landlords within his / her areas of choice unless he / she indicates otherwise.

Rule 54 Choice of General Housing Area

An Applicant may also choose to be considered for a General Housing Area (see paragraph 55 below) as an area of choice.

Rule 55 General Housing Areas (GHA)

An Applicant, who has been awarded Homeless / Threatened with Homelessness – Full Duty Applicant points and has not been allocated accommodation on a permanent basis after six months, will be considered for accommodation in a wider area which includes one or both of his / her areas of choice. This will be known as a General Housing Area (G.H.A.)

Rule 56 Offers (amended 13th Sept 2013)

All Applicants will be entitled to receive a maximum of three reasonable offers.

Rule 56 A. Sequential Offers (added 13th Sept 2013)

The entitlement to receive a maximum of three reasonable offers or any offer of accommodation does not confer an entitlement to receive simultaneous offers.

For the avoidance of doubt, an Applicant will not be considered for accommodation while they are under an offer of accommodation.”

Rule 57 Offers

In considering whether a particular offer is reasonable, the Designated Officer must consider the reasonable needs of the Applicant, including the Applicant's household, having particular regard to the following factors:

1) Size of Accommodation

The dwelling must be of a suitable size for the Applicant's household. The minimum size of accommodation normally deemed as reasonable for the household is outlined in Schedule 3.

2) Suitability of Location

The offer of accommodation shall as far as possible be in an area corresponding with the Applicant's choice. The location shall take into consideration the place of work, schools and essential support requirements of the Applicant, or a member of his / her household.

3) Suitability of Features

The dwelling must be reasonably suitable having regard to the particular needs of the Applicant or a member of the Applicant's household.

4) Condition of Accommodation

The dwelling must not be statutorily unfit and it must be in reasonable condition of repair and safe for occupation at the commencement of tenancy.

Rule 58 Offers

The Applicant's preference for a particular type of property will not be regarded as an essential need.

Rule 59 Refusal of Offers

Three reasonable offers will be made to an Applicant. If all three offers are refused, no further offers will be made for one year after the date of the last refusal.

Rule 60 Refusal of Offers

In substitution for any one or more of those three reasonable offers, the Applicant, at his / her own request, may be made an offer of accommodation which the Landlord would not normally regard as being a reasonable offer. In those circumstances, refusal of that offer will be regarded as the refusal of a reasonable offer.

Restriction of Choice

Rule 61 Intimidation

The Landlord may restrict the area of choice of an Applicant who has been awarded Intimidation Points if the Designated Officer, on reasonable grounds, decides that the Applicant or a member of his / her household may be at significant risk of attack in any wider areas chosen by the Applicant.

Rule 62 Applicants Convicted or Charged with the Sexual Abuse of Children

Restrictions at permanent housing stage apply, as a general rule, to the following:

1. Any Applicant who has received a custodial sentence or a suspended custodial sentence in respect of “a relevant offence”, as defined below.
2. Any Applicant who has been charged with “a relevant offence” which could attract a custodial sentence.

Rule 63 Applicants Convicted or Charged with the Sexual Abuse of Children

1. In the present context “a relevant offence” means any of the following offences:
 - a. Sexual offences against children which are listed in Schedule 1 of the Children and Young Persons Act (N.I.) 1968.
 - b. Sexual offences against children which are listed in Schedule 1 of the Sex Offenders Act (N.I.) 1997.
 - c. Offences relating to indecent photographs of children which are listed in Schedule 1 of the Sex Offenders (N.I.) Act 1997.
 - d. Offences under the law of some jurisdiction outside Northern Ireland, which, in the opinion of the Designated Officer, are similar in nature and seriousness to any of the offences listed at a) to c) above.
2. “Conviction” does not include any conviction which is a “spent” conviction for the purposes of the Rehabilitation of Offenders legislation.
3. “Custodial sentence” includes a suspended custodial sentence.

Rule 64 Applicants Convicted or Charged with the Sexual Abuse of Children

Regardless of his / her place on the housing list, and regardless of his / her housing choices, an Applicant who is subject to restrictions at permanent housing stage should only be offered accommodation within the stock of any Participating Landlord which satisfies all of the following criteria:

1. It is accommodation which, in the opinion of the Designated Officer, is predominately let to tenants who do not have children within their households.
2. It is physically separate from accommodation which, in the opinion of the Designated Officer, is let predominantly to people who do have children within their households.
3. (Where applicable) the Applicant would not be in breach of the terms of his / her licence or Probation Order by accepting that accommodation.
4. It is not, in the opinion of the Landlord’s Chief Officer or his / her nominee, “unsuitable” accommodation as defined in the next paragraph.

Rule 65 Applicants Convicted or Charged with the Sexual Abuse of Children

“Unsuitable” accommodation is accommodation which complies with sub-paragraphs 1) to 3) of the last paragraph, but is unsuitable for a particular Applicant, because of exceptional circumstances of one or more of the following kinds:

1. The specific location of the particular accommodation.
2. The specific circumstances of that Applicant.
3. Detailed written advice received from the Probation Board, to the effect that, by housing the Applicant in that particular estate, an exceptional risk would be created.

Rule 66 Applicants Convicted or Charged with the Sexual Abuse of Children

“The general rule” referred to in paragraph 62 shall be subject to exceptions, if the Landlord, in the light of representations made by or on behalf of any affected Applicant, is satisfied that, because of that Applicant’s exceptional circumstances, the restriction at permanent housing stage should not apply to that Applicant, on that occasion.

Rule 67 Applicants Convicted or Charged with the Sexual Abuse of Children

In the event of an Applicant being subject to restriction at permanent housing stage because of pending criminal charges, every effort must be made to ensure that, if that Applicant is acquitted, the Applicant will not suffer any permanent housing detriment as a result of the restriction of choice.

Rule 68 Difficult to Let Properties

A property is a difficult to let property if:

1. it has been void for at least four weeks, and
2. no eligible Applicants have applied for it.

Rule 69 Difficult to Let Properties

A Designated Officer has the discretion to make simultaneous offers of difficult to let accommodation to the next ten highest ranked Applicants on the Waiting List which is used by all Participating Landlords until:

1. the accommodation is let; or
2. there are no eligible Applicants remaining on the Waiting List.

Rule 70 Difficult to Let Properties

The highest pointed Applicant who accepts the offer must be allocated the property. The offer period must be specified in advance but may be the normal period of offer.

Rule 70A Designated Lettings Policy

1. Subject to paragraph (4) below, accommodation within a block of a Participating Landlord dwellings which have shared access should not be allocated to a person under the age of 35 years of age, at any time when there is a valid designation in force in respect of that block.
2. In relation to any relevant accommodation block, there will be a valid designation in force if, within 12 months prior to the relevant date, the Designated Officer has designated that block pursuant to this rule.
3. A Designated Officer must not designate any block of accommodation pursuant to this rule unless all of the following conditions are satisfied in that connection:
 - a) The block is predominantly occupied by persons aged over 35 years of age.
 - b) Designated Officer is satisfied that anti-social behaviour is a serious problem in relation to that block.
4. Designated Officer is satisfied that complaints of anti-social behaviour in that block are mainly being made against persons who are aged less than 35 years.
5. Designated Officer is satisfied that, in the event of the particular block of accommodation being designated pursuant to this rule:

- The range of housing choices for young people in the District will not be substantially narrowed and
 - the length of time which young people have to wait for housing in the District will not be lengthened by more than three months.
6. A Designated Officer should however allocate designated accommodation to a person under the age of 35 years of age if the Designated Officer is satisfied that, because of the exceptional personal circumstances of that individual, it is highly desirable that he or she should be allocated accommodation within a particular designated block, in particular because of an exceptional need for family support, or because of exceptional circumstances relating to the health and welfare of the applicant, or relating to the health and welfare of a member of the Applicant's family.

Rule 71 Transfers

The Landlord will consider Transfer Applicants for any vacancy in conjunction with those Applicants on the Waiting List used by all Participating Landlords. A Transfer takes place when a tenant moves from one dwelling to another either within the Landlord's own stock or to a dwelling belonging to another Participating Landlord.

Rule 72 Allocations to Transfers

Landlords will use the following general principles when making allocations to Transfer Applicants:

1. allocations should be made as fairly and impartially as allocations to Waiting List Applicants.
2. a Transfer Applicant should not be re-housed less quickly than if he / she were an Applicant under the Selection Scheme.
3. the granting of a Transfer should not lead to a reduction in the amount of suitable accommodation available for new Applicants.
4. the total benefit of any Transfer (or a series of Transfers) should be greater than if a dwelling were to be allocated to a new Applicant.
5. a ratio of one Transfer allocation for every two Waiting List allocations should be employed. However, where this principle is not achievable, Landlords should use an appropriate ratio paying due regard to relative housing need of Waiting List and Transfer Applicants.

Rule 73 Succession to a Tenancy

Succession to a tenancy only occurs where the existing tenant has died. The Landlord will fully comply with the statutory provisions with regard to succession as set out in the Housing (N.I.) Order, 1983. Paragraphs 74 & 75 apply only if there is no statutory entitlement to succeed.

Rule 74 Succession to a Tenancy

Where there is no statutory entitlement to succeed, the following people will be potentially eligible to succeed:

1. A partner of the deceased if they have been living together for a year.
2. A carer only if he / she was living with the deceased for a time in order to care for him / her and for that reason had sold a dwelling or given up a tenancy or licence in relation to a

dwelling. (For the purposes of this paragraph, a tenancy or licence shall be ignored if the carer had been granted the said tenancy or licence by a relative).

3. The potential successor has accepted responsibility for the deceased tenant's dependants.

Rule 75 Succession to a Tenancy

Those persons who are potentially eligible to succeed as set out at paragraphs 74 1) – 3) above shall not be eligible to succeed if the deceased tenant was himself / herself a successor unless the deceased tenant was the spouse /civil partner, parent, brother or sister of the potential successor. (For the purposes of this paragraph, in deciding whether or not the deceased tenant was himself / herself a successor, any change from a sole tenancy to a joint tenancy, or vice versa, shall be ignored).

Rule 76 Assignment of Tenancy

The Landlord will fully comply with its statutory obligations with regard to assignment. The rules set out in the next paragraph apply subject to, or in the absence of, any such statutory obligations.

Rule 77 Assignment of Tenancy

As a general rule, the Landlord will not consent to any assignment. The very exceptional circumstances where the Landlord may exercise discretion to consent to assignment are as follows:

1. Where it is not practicable for the existing tenant to continue to act as such, (for example extreme illness);
2. If the existing tenant leaves and someone else undertakes responsibility for any dependent children left in the household;
3. If the existing tenant goes into a residential home on a long term basis and other member(s) of the household remain in the property and wish to become tenant(s). In such circumstances all of the following conditions must exist:
 - a) The tenant has had to go into a residential home; and
 - b) The tenant is unlikely to be able to return to the relevant dwelling within the next twelve months; and
 - c) The potential assignee was living with the tenant in the dwelling when the tenant had to go into residential home; and
 - d) The potential assignee would have had statutory entitlement, or an entitlement under the policy rules, to succeed to the tenancy if the tenant had died instead of entering the residential home.
4. If the tenant has to be re-housed in sheltered / special needs accommodation and other member(s) of the household remain in the property and wish to become tenant(s) and the following conditions exist:
 - a) the tenant needs to go into sheltered / special needs accommodation; and
 - b) the tenant's tenancy of the new accommodation is indefinite and the tenant is unlikely to be able to return to the original dwelling within the next twelve months and such accommodation would not be able to house all of the tenant's current household; and
 - c) the potential assignee was living with the tenant in the dwelling when the tenant had to go into sheltered / special needs accommodation; and

- d) the potential assignee would have had statutory entitlement, or an entitlement under the policy rules, to succeed to the tenancy if the tenant had died instead of entering the sheltered / special needs accommodation.

Rule 78 Creation of Joint Tenancies

The rules in the next paragraph apply in the context of any request to allow a person to become a joint tenant, if the request is made after the commencement of the current tenant's tenancy.

Rule 79 Creation of Joint Tenancies

The Landlord will allow joint tenancies to be created only where the requirements of one of the sub-paragraphs listed below has been satisfied:

1. The current tenant is the husband or wife / civil partner of the proposed joint tenant.
2. The proposed joint tenant is, at the date of application for approval, a person who would be entitled to succeed (under statute or under policy) in the event of the existing tenant dying at that date.
3. The proposed joint tenant was part of the current tenant's household when the current tenant was awarded the tenancy by the Landlord.
4. The current tenant and the proposed joint tenant have been living together as part of the same household for at least a period of one year immediately prior to the date on which Landlord approval was sought. Exceptionally, a Designated Officer may decline to approve a joint tenancy under this category if he / she has compelling evidence that the existing tenant is likely to move out of the property in the short-term future.

Rule 80 No longer applicable from Jan 2014

Rule 81 No Longer applicable from Jan 2014

Rule 82 No Longer applicable from Jan 2014

Rule 83 Rule 83 – Housing Mobility Schemes

Secure tenants of the Landlord who wish to move outside of Northern Ireland to permanent self – contained accommodation held by social sector tenants elsewhere in Great Britain may use a housing mobility scheme [as approved by the Landlord] to do so. Both tenants involved in a proposed exchange must have the written permission of their respective landlords

Rule 84 Authority of the Department / Board

1. The authority of the Department / Board of the Housing Executive is defined as follows:
 - a) The Board of the Housing Executive may, after consultation with the Department of the Environment, make allocations otherwise than in accordance with this Scheme. [The Landlord may, with the prior approval of the Department, make allocations otherwise than in accordance with this Scheme].
 - b) In particular the Board may, after consultation with the Department, authorise the making of allocations in specific designated 'difficult to let estates', to Applicants who have not applied for housing in that estate; [In particular the Landlord may, with the prior approval of the Department, authorise the making of allocations in specific

designated ‘difficult to let estates’ to Applicants who have not applied for housing in that estate].

Schedule 1

Functionality Matrix

	Mobility within existing accommodation	Independent	Needs help/ with difficulty	Dependent on Others
1a	walks without aid	0	2	4
1b	uses walking aid	2	4	8
1c	uses wheelchair	2	4	8
	Internal factors			
2	climbing existing stairs or access to w/c	0	6	8
3	climbing existing stairs or access to bedroom	0	6	8
	External factors			
4	Negotiating external steps	0	2	4
5	Negotiating steep approach	0	2	4
	Total Score			

Notes:

1. The actual score on the matrix, as outlined above, will be included in the total points score.
2. Where a second person in the Applicant’s household scores 6 or more on the above matrix, an award of Unsuitable Accommodation points will be made

(see Schedule 4).

Schedule 2

Support / Care Needs Matrix

Self Care Needs	Needs Help	Cannot Do
Dress / Undress	1	3
Get in / out of bed	2	4
Get on / off toilet	2	5
Get in / out of bath or shower	1	2
Total Score		

Home Management Needs	Needs Help	Cannot Do
Light fire/manage heating system	2	4
Do heavy household duties	1	2
Cook meals	1	3
Make snacks	2	4
Do own shopping	1	3
Total Score		

Notes:

1. The actual score on the matrix as outlined above will be included in the total points score only in cases where the Applicant, or member of the Applicant’s household, is seeking sheltered / supported housing.

Schedule 3

Minimum Size of Accommodation for Allocations

Bedrooms	Bed spaces	Applicant's Household Composition
1	1	one person
1	2	couple
2	2	two persons (not a couple) or one parent + 1 child
2	3	couple + 1 child or one parent + 2 children
2	4	couple + 2 children
3	3	one parent + 1 adult + 1 child
3	4	one parent + 3 children or one parent + 2 children or one parent +1 adult + 2 children
3	5	couple + 3 children or one parent + 4 children or couple +1 adult + 2 children
4	6	couple + 4 or more children or one parent + 1 adult + 3/4 children

Notes:

Other household compositions analogous to those above will be considered for equivalent accommodation.

For the purpose of this table all children sharing a bedroom are assumed to be under 7 years of age or of the same sex. Children of different sex over the age of 7 years should not normally have to share a bedroom.

A greater number of bedrooms may be reasonably required depending on the particular needs of the Applicant or the Applicant's household.

Where there are no other Applicants with the required household size on the Waiting List for the type of accommodation on offer, for example in a difficult-to-let estate, consideration should be given to smaller household Applicants.

Schedule 4

Points Schedule

		Points
Section 1	Intimidation	200
Section 2	Insecurity of Tenure	
Homeless / Threatened with Homelessness-Full Duty Applicant (FDA)		70
Other Homeless		50
Interim Accommodation		20
Section 3	Housing Conditions	
Sharing		
1) An Applicant with dependent children		
	Sharing kitchen	10
	Sharing Living Room	10
	Sharing Toilet	10
	Sharing Bath / Shower	10
2) An Applicant aged 18 years and over without dependent children		
	Sharing kitchen	5
	Sharing Living Room	5
	Sharing Toilet	5
	Sharing Bath / Shower	5
3) An Applicant aged 16 -18 years without dependent children		
	Sharing Kitchen	5
	Sharing Living Room	5
	Sharing Toilet	5
	Sharing Bath / Shower	5
Overcrowding	Each bedroom short of criteria	10
Lack of Amenities and Disrepair		
1) The Applicant's current accommodation is not free from serious disrepair.		10
2) The Applicant's current accommodation is not free from dampness which is prejudicial to the health of the occupants.		10
3) The Applicant's current accommodation does not have adequate provision for lighting, heating and ventilation.		10
4) The Applicant's current accommodation does not have an adequate supply of wholesome water.		10
5) The Applicant's current accommodation does not have satisfactory facilities for the preparation and cooking of food, including a sink with a satisfactory supply of hot and cold water.		10
6) The Applicant's current accommodation does not have a suitably located water closet (w.c.) for the exclusive use of the occupants.		10
7) The Applicant's current accommodation does not have, for the exclusive use of the occupants a suitably located fixed bath or shower, each of which is provided with a satisfactory supply of hot and cold water.		10
8) The Applicant's current accommodation does not have an electricity supply.		10
Time in Housing Need		
(Only awarded to Applicants with points on the Waiting List. 2 points per year (for a maximum of five years) after two years on the Waiting List)		Max 10

Section 4	Health and Social Well Being	
Functional Matrix		Max 32
Unsuitable Accommodation		10
Support / Care Needs Matrix (only applicable to those applying for Sheltered / Supported Housing)		
Home Management		Max 16
Self Care		Max 14
Each Primary Social Needs Factor (capped at 2 factors i.e. 2x 20 points)		20
Each Other Social Needs Factor (capped at 4 factors i.e. 4x10 points)		10
Complex Needs (General Needs Housing)		20

Notes:

1. Points will be awarded on a cumulative basis unless otherwise stated