

04 April 2024

Our Ref: FOI 342

Request

We received your request on 12 March 2024 for the following information:

I would like to make a freedom of information request for the following.

(1) NIHE complaints procedures including in-house timelines to respond to complaints.

(2) NIHE policies for staff non-compliant with NIHE complaints policies and procedures.

(3) NIHE conditional offer requests, including in-house withdrawals on agreed offer.

I would like this request to be fulfilled within 14 working days on receipt of email.

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

Our response

- 1) Please find enclosed a copy of the Housing Executive's Complaints Policy which notes timeframes for responses at both formal stages of our complaints procedure.
- 2) We do not hold a policy in relation to non-compliance with complaints policies and procedures.
- 3) Please find enclosed a copy of the Housing Executives Housing Policy Guidance Manual which covers the rules relating to offers.

This concludes our response.



COMPLAINTS POLICY

Housing
Executive



Housing Executive Complaints Policy

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Introduction

The Housing Executive is committed to providing excellent services for all of our customers, placing customer needs at the centre of everything we do and sustaining high performance across key service areas.

You can find out more about the service you can expect to receive from us in the Housing Executive Customer Charter. This is available on [the Customer Charter page of our website](#), in your tenancy sign-up pack or on request from your local office.

If something has gone wrong, we want to hear from you. The Housing Executive is committed to making improvements to our service and learning from customer feedback. We would also like to hear if you are happy with the service you have received or if you have suggestions about how we can improve. We need your feedback to deliver better services.

If you are not happy with our service you may wish to make a complaint. This policy aims to explain

- How to make a complaint
- What a complaint is
- How we deal with complaints
- How we report and learn from complaints

Our Complaints Principles

The Housing Executive is committed to the Northern Ireland Public Services Ombudsman's Statement of Principles. These are:

- Start off right
- Fix it early
- Focus on what matters
- Be fair

- Be honest
- Learn and improve

How do I complain?

You can complain in person, on the phone, via email, by sending a message on the “My Housing Executive” Customer Portal, on [the 'Make a complaint' page of our website](#), using the Housing Executive complaints leaflet, or by post. Where appropriate, messages received through our Social Media pages may also be responded to through our complaints procedure after it is established that this is what the customer wants. If you raise an issue and wish for it to be handled as a formal complaint, please tell us this.

For more details, please read the section “Who should I complain to?” below.

If you are making a complaint, please tell us:

- Your full name, address and contact details, including how you prefer to be contacted and if there are preferred times to contact you
- As much as you can about the complaint, including any evidence you may have
- What has gone wrong
- How you want us to resolve the matter

The more information you give us, the quicker we can start investigating your complaint. You can submit evidence at a later stage, but we may not be able to investigate your complaint until we have received any evidence we need from you.

Definition of a complaint

A complaint is:

“An expression of dissatisfaction or unhappiness that cannot be resolved at the initial point of service delivery about:

- the standard of service provided by or on behalf of the Housing Executive
- an action, delay or lack of action
- a decision made by the Housing Executive that falls within the remit of the complaints policy”

If we are not sure if you are making a complaint or an enquiry, we will deal with your issue as an enquiry and tell you how to make a complaint if you are unhappy with the response.

What can be complained about?

You can complain if:

- We don't deliver a service on time
- We give you incorrect, or not enough, information
- We give you a poor quality service, or fail to provide a service
- We do not follow proper procedures
- You are unhappy with a decision that has been made and no appeals process is in place for the decision.
- You believe that your case has not been dealt with properly, or is not being dealt with properly
- You have a complaint about a member of staff

Complaints may involve more than one of our services or be about someone working on our behalf, such as a contractor.

What cannot be complained about?

The following matters are not covered by the Housing Executive's Complaints Policy:

- A routine first-time request for service, for example, reporting a repair or an initial action in relation to an Anti-Social Behaviour case.
- Policies and procedures that have a separate right of appeal, for example:
 - Challenging a Housing Benefit decision
 - Challenging an adverse statutory homelessness decision
 - Challenging suitability of an offer of temporary accommodation to those with Full Duty Applicant status (those with interim status do challenge this through the complaints procedure)
 - Challenging reasonableness of an offer of permanent accommodation to those with Full Duty Applicant status (those without Full Duty Applicant status do challenge this through the complaints procedure)
 - Appealing a decision to end your introductory tenancy

If there is a separate appeals process for your decision, your decision letter will tell you how to raise this appeal.

- Issues that have previously been addressed through the Housing Executive complaints process where we have given you a final complaint response.
- Issues that are in court or have already been heard by a court or tribunal
- Requests for compensation. These will be handled by our Insurance and Claims team.
- Staff disciplinary matters. These will be handled under our Disciplinary Procedure.
- Fraud investigations. These will be handled by our Corporate Investigations and Security Unit.

If you complain to us about a matter that is not covered by our Complaints Policy, we will give you information and advice on how to deal with the matter. If you are making a formal complaint, we will tell you what matters we are looking at under our

Complaints Policy and what the appropriate procedures are for any other matters you may raise.

Who can complain?

Anyone can make a complaint about their experience with us. This includes a representative of someone who is unhappy with our service. This means you can ask someone else to complain on your behalf. Examples of this include family and friends or an advice body such as Housing Rights. In the case of a representative, we will ask for a form of authority so we can respond to the complaint. If a local Elected Representative (Councillor, MLA or MP) makes a complaint on your behalf we will not usually need to ask for the form of authority to be completed.

We value all complaints, including those made anonymously. Staff will consider anonymous complaints if there is sufficient information provided to allow them to make further enquiries. If the complaint does not provide enough information, staff may not be able to investigate the complaint.

Getting help to make your complaint

We understand that it may be difficult to make a complaint yourself. We accept complaints from the representative of a person who is unhappy with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you. We will ask for confirmation of this consent before proceeding with your complaint. We can also take complaints from an elected representative.

If you need help making your complaint, you can also contact Housing Rights. Housing Rights are an independent housing advice organisation and can support you in making your complaint to us.

You can contact Housing Rights online at [the Housing Advice NI website](#) or on the Housing Advice Helpline, which is open from 09:30 to 16:30 Monday to Friday. You can call 028 90245640 to speak with a Housing Rights adviser.

[Download the Form of Authority.](#)

How long do I have to make a complaint?

Normally, you must make a complaint within three months of the event you wish to complain about.

If you remain unhappy after the First Stage response, you have 3 months to ask for your complaint to be investigated as a Final Stage complaint.

In exceptional circumstances, we may accept a complaint after this time limit. You will have to tell us why you think we should accept the complaint after this time limit. We will tell you if we decide to accept your complaint or not, and the reasons why.

Who should I complain to?

We want to sort out problems quickly and locally, where possible. If you have a problem, please contact your local office and staff will try to help. Your local office will review your issue and try to fix the problem straight away.

If your issue relates to maintenance matters, you may wish to contact the contractor directly. This may be especially helpful in scheme matters where a specific customer liaison officer has been appointed (you should have been given contact details for this person at the start of the scheme).

If you are not sure how to contact your local office, you can call 03448 920 900 ([18001 03448 920 900](tel:1800103448920900), Relay UK) or visit [the Contact Us section of our website](#).

If your local office or contractor cannot fix your problem, you can make a formal complaint at First Stage. Your local office can tell you how to make a formal complaint or help you to do this.

First Stage Complaint

You can make a complaint about any of our services through [the 'Make a complaint' page of our website](#).

- If your complaint is about repairs, housing, your rent account, scheme-related work or neighbourhood problems, you should contact your local Area Manager.

- If your complaint is about Housing Benefit, you should contact the Housing Benefit Manager for the office that was dealing with your case.
- If your complaint is about Grants, you should contact the Grants Manager for the office that was dealing with your case.
- If your complaint is about buying or selling your house or land, you should contact the Place-shaping Manager for the office that was dealing with your case.

If you are not sure how to contact your local Manager, you can call 03448 920 900 ([18001 03448 920 900](tel:1800103448920900), Relay UK) or visit [the Contact Us section of our website](#).

If you are not sure who you should complain to, you can contact the Central Complaints Unit using the details below. They will ensure that your complaint is independently investigated by the appropriate team.

Final Stage Complaint

We will always try to sort your complaint out at First Stage. However, if we are unable to do this, you can ask for a Director to investigate your complaint by contacting our Central Complaints Unit.

Telephone: 03448 920 900

Email: centralcomplaints@nihe.gov.uk

Website: [The 'Make a complaint' page of the Housing Executive website](#)

Post:

Chief Executive's Office
Final Stage Complaint
Housing Executive
The Housing Centre
2 Adelaide Street
Belfast BT2 8PB.

What happens when I make a complaint?

Any issues you have can always be raised informally. This might be the quickest way to fix your problem. Try speaking to your Housing Advisor, Patch Manager, Maintenance Officer, contractor, Scheme Coordinator, Grants Officer, Housing Benefit Officer or Place-shaping Officer to see if they can help you with the issue in the first instance.

If they cannot help, you can access the formal complaints process.

First Stage Complaint

If you are unhappy with how you have been treated, you can ask for the Manager in the local office to review the matter as a formal complaint. This will be considered a First Stage complaint.

It is really helpful to us if when making your complaint you provide:

- Your full name, address and contact details, including how you prefer to be contacted
- As much information as you can about the complaint, including any evidence you may have
- What has gone wrong
- What you want us to do to fix the problem

Once you make a complaint we will acknowledge receipt of your complaint. This should be within three working days of receipt of your complaint. If you make your complaint over the phone, the call itself will act as acknowledgement.

If any of the matters of which you complain do not fall within the Complaints Policy, we will advise you about how to deal with these matters.

If someone is complaining on your behalf, the local office will ask for a form of authority. This gives us your consent to communicate with a representative about your complaint.

The local office will assess what your complaint is about and what you want us to do about the problem. We aim to identify your issues of complaint as soon as possible. In some cases we may need to contact you to discuss this and we will do this within three working days of receiving your complaint. This allows us to make sure that we are properly addressing all the matters of your complaint.

After agreeing the issues of complaint with you, we aim to respond to you within 10 working days. This may take longer if we need to ask someone else, for example a contractor, for information. Where there is exceptional reason, we may take up to an extra 10 working days to respond to you. We may also need to ask you for additional information or evidence to help us investigate your complaint or make a decision. If this is the case we will have 10 working days, from when you supply this information to us, to investigate and issue a response. If we need longer, we will contact you and advise you of a likely timescale for your response and keep you updated on the progress of the investigation.

If, at any point in the investigation, the local office decides that your case is complex, it will be escalated to the Final Stage of the Complaints Procedure. This is to make sure that your complaint is fully and properly investigated. The local office will contact you to advise you that your complaint is being treated as a complex complaint and has been sent to the Final Stage of the Complaints Procedure.

We will provide you with your response in writing, via email or post. Your response will be issued by an Area Manager for housing or repairs issues, a Housing Benefit Manager for Housing Benefit issues, a Grants Manager for Grants issues and a Place-shaping Manager for Land and Property issues. We will tell you how you can escalate your complaint to the Final Stage of our Complaints Procedure, if you are not happy with the outcome. We will request feedback on how we handled your complaint.

If required, your local office will also contact you to discuss the response over the telephone or in person.

If we need to take action as a result of your complaint, the local office will monitor the progress of actions to make sure that they are completed.

Final Stage Complaint

If you are unhappy with the outcome of your First Stage complaint, you can ask us for an independent investigation under the Final Stage of our Complaints Procedure. You have three months in which to do this. If there are exceptional circumstances, we may accept a complaint outside this time limit. You will have to tell us why you think we should accept the complaint after this time limit.

Your complaint should provide:

- Your full name, address and contact details, including how you prefer to be contacted and if there are any preferred times to contact you
- As much information as you can about the complaint, including any evidence you may have
- What has gone wrong
- Why you are not happy with the decision made in your First Stage Complaint
- Any new information or information you think that we did not consider
- What you want us to do to fix the problem

You will be given a Final Stage Complaints Officer who will deal with your complaint. Your Complaints Officer will contact you to acknowledge receipt of your complaint. This should be within 3 working days.

If any of the matters of which you complain do not fall within the Complaints Policy, the Complaints Officer will advise you of how to deal with these matters.

If someone is complaining on your behalf, the Complaints Officer will ask for a form of authority. This gives us your consent to communicate with a representative about your complaint.

The Complaints Officer will agree with you what your complaint is about and what you want us to do about the problem. This allows us to make sure that we are fully investigating all the matters of your complaint. We aim to contact you within 3 working days of receipt to agree your issues of complaint.

After agreeing the issues of complaint with you, we aim to respond you within 20 working days. In some cases, you may wish to add to your issues of complaint while the case is ongoing. In normal circumstances we can do this, but it should be noted that this means we will have 20 working days from when your final issues of complaint are agreed to issue any response. When you submit your complaint, we may need to ask you for additional information or evidence to help us investigate your complaint or make a decision. Where that is the case, we will have 20 working days from when you supply this evidence to us to issue a response to you. If we need longer, your Complaints Officer will contact you and advise you of a timescale for your response and keep you updated on the progress of your investigation.

We will provide you with your response in writing, via email or post. Your response will be issued by the Director who has responsibility for the business area you are complaining about. We will tell you how you can escalate your complaint to the Northern Ireland Public Services Ombudsman, if you are not happy with the outcome. We will request feedback on how we handled your complaint.

If required, your Complaints Officer will also contact you to discuss the response over the telephone or in person.

If we need to take action as a result of your complaint, the Complaints Officer will monitor the progress of actions to make sure that they are completed.

What happens if I am not happy with the final outcome of the complaint?

Your final complaints response from us will tell you when you have exhausted the Housing Executive's Complaints Procedure. The response will tell you the next steps you can take if you are still not happy with the outcome of the complaint.

If you remain unhappy, you can complain to the Northern Ireland Public Services Ombudsman. You have six months in which to do so.

Usually, before you complain to the Ombudsman about the service you have received from us, you will be expected to have exhausted the Housing Executive's Complaints Procedure. Exceptionally, the Ombudsman may be prepared to accept

your complaint before you have received your final response from us. Your reasons for this will need to be set out in your complaint to the Ombudsman. The Ombudsman can be contacted using the following details:

Northern Ireland Public Services Ombudsman
Progressive House
33 Wellington Place
Belfast, BT1 6HN

Telephone: 02890 233821

Text Phone: 02890 897789

Freephone: 0800 34 34 24

Email: nipso@nipso.org.uk

Freepost: Freepost NIPSO

Feedback on complaints

When we provide you with the written response to your complaint, we will request feedback on how you feel your complaint was handled. We welcome any comments on how to deal with complaints more efficiently or how to improve our service.

Unreasonable Contact Procedure

In some cases, complainants will have expectations that we cannot meet. The Housing Executive will always try to find a reasonable and practical solution to complaints raised. Staff will always be sensitive to a complainant's individual circumstances and will use discretion in considering what we consider to be unreasonable behaviour.

However, where a complainant is demonstrating unreasonable behaviour, the Housing Executive reserves the right to use our Unreasonable Contact procedure. We may use this in the following instances:

- Unreasonable levels of contact with staff which affect staff carrying out their work
- Continuing to raise new issues during or after the investigation that should reasonably have been raised at the beginning of the complaint
- Failure to clearly agree the issues of complaint with staff
- Pursuing a complaint after the Complaints Procedure has been exhausted
- Threats of violence, harassment or abusive language or behaviour towards staff
- Failure to accept documented evidence as factual
- Recording staff without their permission
- Unreasonable demands or expectations
- Refusal to co-operate with the investigation process

If Complaints staff decide that issues should be handled under the Unreasonable Contact procedure, they will write to the complainant. This will tell the complainant:

- They are being considered under the Unreasonable Contact procedure
- Why this is the case
- Details of any restricted contact arrangements
- Details of any actions, such as closing the complaints investigation, barring complainants from offices or otherwise restricting contact to reasonable levels, and involving the police where any threats have been made
- The length of time that any restrictions will be in place and
- The review date of the restriction

- The right of the complainant to contact the Northern Ireland Public Services Ombudsman about the decision to consider them under the unreasonable contact procedure.

Reporting and regulatory requirements

Customer satisfaction is important to the Housing Executive. Complaints provide us with valuable information which we can use to improve our services and prevent issues from happening again. We report on complaints to understand trends and areas where services need to be improved. We will identify where action should be taken to remedy issues and will monitor this to ensure that actions are completed.

Within our governance structure, we report on complaints to:

- Performance Review Group
- Executive Team
- Board
- Department for Communities

We will publish information for customers about complaints on our website, in the Annual Report and in our tenant magazine(s), as appropriate.

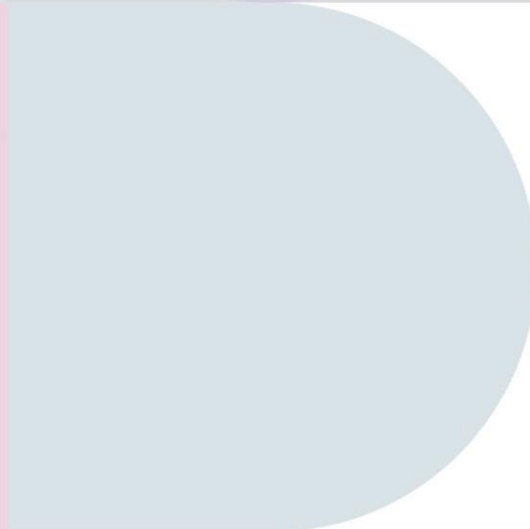
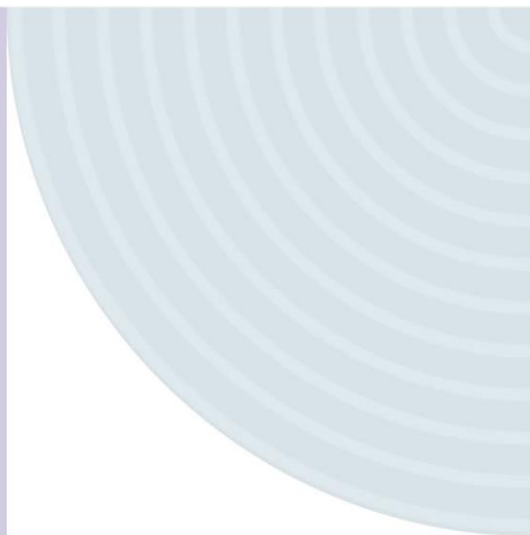
The Housing Executive falls under the jurisdiction of the Northern Ireland Public Services Ombudsman and has a duty to comply with the Public Services Ombudsman Act (Northern Ireland) 2016. The Housing Executive is committed to abiding by the Ombudsman's Principles of Good Administration, Principles of Good Complaints Handling and Principles for Remedy.

We will review this policy every three years. More regular reviews will be considered where, for example, there is a need to respond to new legislation or policy guidance. Reviews will consider legislative changes, performance standards and good practice.

This policy is available on our website. A hard copy is available on request.

Customers can also get a copy of the policy on tape, in Braille, in large print or in

translation on request, by contacting the Equality Unit on 03448 920 900 / [18001 03448 920 900](tel:1800103448920900) (Relay UK) or at equality@nihe.gov.uk.



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Equality Unit

Northern Ireland Housing Executive

2 Adelaide Street, Belfast BT2 8PB

Tel: 03448 920 900

Textphone: 18001 03448 920 900 (Relay UK)

Email: equality@nihe.gov.uk

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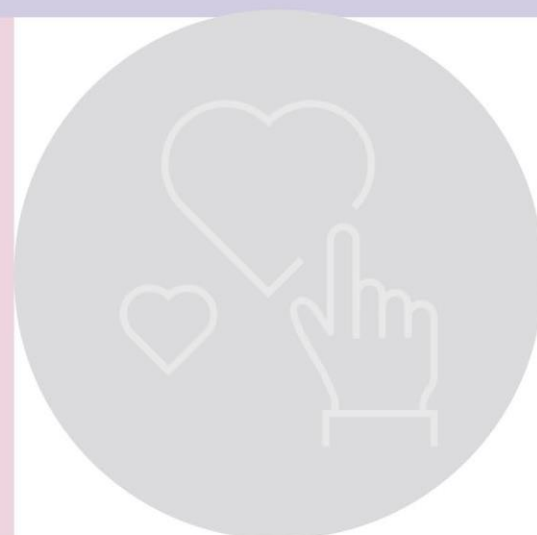
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CHAPTER 5: RULES GOVERNING ALLOCATIONS

5.0 INTRODUCTION

This chapter outlines guidance in relation to Choice, Restriction of Choice, Offers and Difficult to Let Properties. Guidance in relation to Disqualification, Transfers, Succession, Assignment and the Creation of Joint tenancies are outlined in other chapters. Applicants who have been assessed for social housing will be placed on a Waiting List that is used by all Participating Landlords. As a general rule each dwelling will be offered to the relevant Applicant with the highest points.

5.1 RELEVANT APPLICANT DEFINITION

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 the circumstances, do not substantially surpass those needs.

5.2 DEPARTURE FROM GENERAL RULE: RULE 48

Designated Officers have the authority to depart from the general rule only in the following exceptional circumstances:

Consideration must be given to the special and specific needs of the Applicant in order to determine whether their particular requirements would merit a departure from the Waiting List in relation to the particular characteristics and amenities of the property to be offered.

A deviation under Rule 48 can be justified only if those Applicants higher up the Waiting List, including those with an earlier date of application, do not have similar specific needs for the particular accommodation or location to that of the Applicant being considered.

Factors which must be taken into account when applying Rule 48 are:

(a) Profile of Waiting List

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Designated Officers should consider the number of Applicants on the Waiting List for the particular type of accommodation in that area. An analysis of those Applicants should be carried out to determine their specific needs in order to balance their needs against the Applicant in question.

(b) Turnover

Designated Officers should consider the turnover of that particular type of accommodation in that area. Consideration should be given as to whether, with the Applicant's level of assessed need and, given their position on the Waiting List, they would be offered accommodation to meet their specific requirements within a reasonable period of time. This would involve looking back at the number of past allocations of that type of accommodation over a reasonable period of time in that specific location.

(c) The Applicant's Specific needs

Designated Officers should consider the particular needs of the Applicant in question in order to determine whether, given the nature and intensity of their housing need, such an allocation is highly desirable to meet their special and specific requirements. For example, the Applicant's specific needs may be more acute if they have a terminal illness, or if they have a degenerative illness which will impact on their housing need.

(d). The characteristics or location of the property to be allocated

The facilities and amenities and / or the particular location of the dwelling must be highly desirable to match the special and specific needs of the Applicant in question. Examples would include ground floor accommodation, the location in relation to carer / essential facilities, specific adaptations, mobility standard accommodation.

Allocations under Rule 48 may also take place where:

- (a). The Applicant's need for that particular type of dwelling has been identified during the process for determining the housing mix of a New build Scheme. Designated Officers should ensure that administrative arrangements are put in place to maintain a record of such Applicants; or
- (b). A property has been specifically identified for purchase by the Landlord to accommodate the specific needs of an Applicant.

Consideration may only be given to this option where:

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- i. There is no suitable accommodation available or likely to become available which is already in the Landlord's ownership and which could meet the needs of the household concerned; and
- ii. The accommodation requirement is a long term one, in that the allocation is not intended as a temporary arrangement pending further decanting. Detailed guidance on the procedures to be used for Housing Executive staff is in Special Acquisition of Dwellings, Chapter 4 of the General Housing Policy Guidance manual.

Housing Executive staff must notify all such departures from the General Rule in writing within three months to Landlord Housing Policy using the pro forma provided in Appendix 5.4 Landlord Housing Policy will compile a report on such departures for the Housing Executive Board. Housing Associations are required to notify the Director of Housing, Department of Social Development of all such departures within three months.

5.3 CHOICE: RULES 52-54

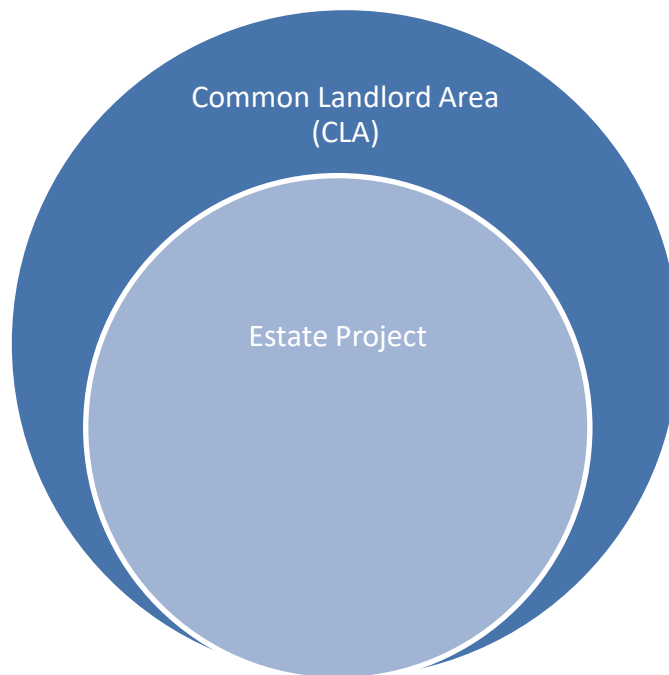
Within the HMS, there are two distinct levels of Areas of Choice, Estate / Project and Common Landlord Area. Each of these is defined below:

Estate/Project

An Estate / Project is a scheme or group of properties in an area, belonging to one of the Participating Landlords, for which an Estate Code has been created. All Estates / Projects will be contained within a specific Common Landlord Area.

Common Landlord Areas (CLA)

A Common Landlord Area is a designated geographical area which may include a number of Estates / Projects belonging to any of the Participating Landlords. Each District's CLAs are listed in the Common Landlord Area Guide.



5.3.1 CHOICE OF AREAS: RULE 52

- 1) Where the Applicant has the right, they will be allowed to choose any number of Common Landlord Areas (areas of choice) in which to be rehoused.
- 2) A Common Landlord Area (CLA) is a designated geographical area which may include a number of Estates / Projects belonging to any of the Participating Landlords. Each CLA is listed in the Common Landlord Area Guide.

5.3.2 HOUSING PROSPECTS REPORT (H021)

The H021 report within the Dashboard / Crystal Environment will assist NIHE staff provide additional information in relation to estate profile within specific CLA's. The H021 details the following information:

- Waiting list profile,
- NIHE stock,
- Allocations (NIHE and HA's) between 6 and 24 months,
- Level of demand

Details of accessing the report on Crystal are included in Appendix 5.1.

All Applicants will be required to identify at least one Common Landlord Areas (CLAs) in which they would like to be re-housed. Applicants may choose as many Areas of Choice as they wish.

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Please ensure that a first preference CLA is always keyed to HMS.

Certain Applicants may have restrictions placed on their areas of choice, for example, where the Applicant has been intimidated from a particular area or those Applicants who have been charged or convicted with the sexual abuse of children (see Rules 61 to 67).

Change of Preference – Common Landlord Areas

Applicants may change their preferred Common Landlord Areas. When a change of CLA is being requested, the designated officer should discuss with the Applicant, the Estates / Projects which are contained within their new CLAs in order to identify Estates / Projects which may not be suitable and also their prospects of being rehoused in that particular area of choice. Any request to change areas of choice should be recorded on HMS with appropriate notes for any exclusions applied **and a new Choice and Points letter must be issued confirming the changes** (see Appendix 5.8). Amendments can only be keyed by the Office of Origin (as a general rule this will be the NIHE Local Office in the case of Applicants, and the Landlord of the tenant in the case of Transfers).

5.3.3 LANDLORD PROPERTIES – AREAS OF CHOICE RULE 53

An Applicant will be considered for all properties of all Landlords within their areas of choice unless they indicate otherwise.

If more than one Estate / Project exists within an Applicant's CLA of choice, it is vital that an Assessing Officer informs the Applicant of all the Social Rented accommodation available in that area.

Applicants should also be advised that, as a general rule they will be placed on the Waiting List at CLA level for their area of choice. It will only be in exceptional circumstances, with the Designated Officer approval, that exceptions will be considered at landlord/scheme level. Designated Officers should clearly record on HMS the reasons to support the exclusion of Estates / Projects.

It is important that the Applicant is aware of the variety of accommodation available within the Common Landlord Area(s) of their choice. This is to ensure there is suitable accommodation to meet their needs.

Designated Officers of Participating Landlords should act as independent advisors, assessing the needs of an Applicant impartially, and providing unbiased information on **all** of the Participating Landlords accommodation existing within their chosen CLAs.

5.4 RESTRICTION OF CHOICE

Landlords may restrict the Area of Choice of an Applicant in the following circumstances:

5.5 APPLICANTS WITH INTIMIDATION POINTS: CHOICE RESTRICTIONS: RULE 61

Where an Applicant has been awarded Intimidation points, the Designated Officer may restrict offers of accommodation to areas where they consider the Applicant would not be at immediate risk.

Rule 61 states; *“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 61 sits within Part 4: Rules Governing Allocations of the Housing Selection Scheme. In this part of the Scheme the term “Landlord” means the Housing Executive or any registered Housing Association which is participating in the Common Selection Scheme and who makes or should make an offer of accommodation to that Applicant. This means that the relevant Landlord has the discretion to restrict an applicant’s area of choice under Rule 61. This may be at the point of assessment by the assessing Landlord or alternatively by the allocating Landlord.

An Applicant is entitled to an award of Intimidation Points where their circumstances meet the criteria under Rule 23 of The Housing Selection Scheme. Guidance for staff in relation to Rule 23 and the assessment of Intimidation Points can be found in Chapter 3 of the Housing Selection Scheme Guidance Manual. Chapter 3 makes it clear that if it is established that intimidation has occurred, the applicant will be awarded Intimidation Points in addition to all other relevant points.

Staff should note that the application of Rule 61 cannot apply in cases where Intimidation Points have not been awarded.

5.5.1 When to Consider Rule 61 and the Restriction of Choice

Consideration of Rule 61 and the decision to restrict an Applicant’s Areas of Choice are relevant at the following key points:

- (a) At application/assessment stage:** When an applicant presents as homeless on the basis of alleged intimidation it is important for staff to have a discussion with the Applicant regarding the suitability of their preferred Areas of Choice.

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Applicants should be advised of the possibility that their Areas of Choice may be restricted if they are awarded Intimidation Points.

- (b) Following the award of Intimidation points:** When a decision is made to award Intimidation points the Applicant's Areas of Choice should be reviewed in light of information that has been obtained regarding the potential risks of living in those areas and the Applicant should be given an opportunity to choose alternative Areas of Choice. Details of the discussion should be recorded on the Applicant's housing application notepad.
- (c) When a request for a change to Areas of Choice is made** *(including annual renewal forms)*: All Housing Executive and Housing Association staff involved in the administration of the Common Selection Scheme (including counter staff and staff keying to HMS) should be aware of the need to exercise care when dealing with requests for changes to Areas of Choice whether received by post, telephone or in person for those applicants who have been awarded Intimidation Points. Staff should inform the Designated Officer of any requests to allow them the opportunity to consider whether Rule 61 should be applied.
- (d) At point of matching and selection for an allocation:** When an applicant who has been awarded intimidation points has been matched for an offer of accommodation, the Designated Officer should consider whether to apply Rule 61. This should involve liaison between offices and landlords. The Lettings Manager/Allocations Manager should also refer this to the Team Leader in the Assessing Office to discuss the matter.

In line with Standing Orders relating to Intimidation, staff are reminded that a Team Leader (Level 6) or any more senior post holder to this post should make this decision. Housing Associations will need to make a determination on their own equivalent Designated Officer.

5.5.2 THE DECISION TO APPLY RULE 61 - RESTRICTION OF CHOICE

Where an Applicant has been awarded Intimidation points the participating Landlord, whether the Housing Executive or Housing Association, may restrict the Area of Choice if they have reasonable grounds to conclude 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. The Designated Officer may then decide to restrict offers of accommodation to areas where they consider the Applicant would not be at immediate risk.

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It is important to note that each case should be considered on an individual basis and Rule 61 should not be automatically applied following an award of Intimidation points under Rule 23.

When considering whether or not to restrict an applicant's area of choice under Rule 61 the designated officer should take account of the Applicant's wishes and the particular circumstances of the Applicant / household. In each case staff should:

- Take into account information or factors that are relevant to the decision being taken;
- Not allow the decision to be influenced by irrelevant factors;
- Undertake sufficient enquiries from relevant agencies;
- Engage with the applicant as part of that process.

Under Rule 61 'Significant risk' of attack relates to the likelihood of the risk occurring i.e. being highly probable. It will be necessary to obtain information from the PSNI or other relevant agencies to confirm if there is a risk to the applicant or member of their household and, if so, the geographical area that the potential risk extends to. It should be noted that the extent of the area restricted will be dependent on the circumstances of each case. Staff should note that a blanket approach should not be applied and each case should be determined individually.

Where information has previously been obtained from the PSNI or another agency, and the appropriateness of applying Rule 61 is being reconsidered at any of the stages referred to in 5.5.1 above, this information will need to be reviewed. For example, it may be the case that a period of time has elapsed since the initial decision was taken to award Intimidation points and the appropriateness of applying Rule 61 was considered. Information in this regard should therefore be followed up with the PSNI or other agency and if information is received verbally, it should be recorded on file.

It is important for staff to take account of an Applicant's specific circumstances before deciding to apply Rule 61. Particular consideration should be given to the reason/s provided by the Applicant for wishing to remain in the area including the proximity to support networks, schools, necessary health services within the area and whether or not applying Rule 61 would have an adverse impact on the wellbeing of the Applicant or a member of their household.

It may also be the case that the specific member of the household against whom the risk of attack was likely is no longer part of the Applicant's household. In such cases it may not be reasonable or appropriate to restrict the Applicant's Area of Choice.

The size of the Common Landlord Area relating to where the Applicant has selected to be rehoused, in comparison to the area of risk, should also be considered. All relevant details should be documented on the Applicant's file or where appropriate,

on to HMS. A record of all discussions should be kept on file or where appropriate, added to the Notepad on HMS.

5.5.3 NOTIFYING THE APPLICANT THAT THEIR AREA OF CHOICE HAS BEEN RESTRICTED UNDER RULE 61

An Applicant should be notified in writing of the decision to restrict his / her Areas of Choice under Rule 61 at any of the key stages outlined above. The Template letter applicable has been attached in Appendix 5.14 for use when applying Rule 61 before an offer of accommodation at the point of matching and allocation. The reasons for the Designated Officer's decision should be inserted into the templates. The rationale provided may outline that information was received from a third party such as PSNI and was taken into consideration etc. Staff should ensure that Data Protection requirements are adhered to at all times whilst providing sufficient information allowing the Applicant to exercise their right to challenge the decision through the Landlord's complaints procedure, if they wish to do so.

Where the office making the decision to apply Rule 61 is not the 'owning' office, the deciding office should inform that office of his/her decision.

5.5.4 HMS PROCEDURES FOLLOWING APPLICATION OF RULE 61

Staff should refer to Chapter 3 of the Housing Selection Scheme Guidance Manual for further information in respect of the procedures to be adhered to when Rule 61 should be applied.

Staff should note that there may be instances when an applicant appears on a matching list, when Rule 61 is applicable to their case. For instance, if an applicant refuses to choose another CLA even though they have been advised they will not be considered for accommodation within that CLA. However they wish to remain on the Waiting List for this CLA regardless of this advice. In such instances, please liaise with the Assessing Office for further information.

5.5.5 WHERE AN APPLICANT CHALLENGES A DECISION TO APPLY RULE 61

If an Applicant wishes to challenge a decision taken by a participating Landlord to apply Rule 61; this should be dealt with through the relevant Landlord's complaints procedure.

When the decision to restrict an applicant's Area of Choice is being considered at the point of matching and selecting for an allocation and this decision is challenged by the applicant, staff should seek clarification with the Housing Policy Unit. Staff in Housing Associations should liaise with staff in the Housing Executive Local Office who will seek advice from the Housing Policy Unit. **It is important that such advice is sought before proceeding with the allocation of the property.**

Where the allocating Landlord is not the assessing office, the allocating Landlord should inform the relevant assessing office of the decision under Rule 61 to restrict

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the applicant's Area of Choice at the point of matching and selecting for an allocation.

5.6 APPLICANTS CONVICTED OR CHARGED WITH THE SEXUAL ABUSE OF CHILDREN: RULE 62

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.

5.6.1 RELEVANT OFFENCE: RULE 63

In the present context "a relevant offence" means any of the following offences:-

- 1) Sexual offences against children which are listed in Schedule 1 of the Children and Young Persons Act (N.I.) 1968.
- 2) Sexual offences against children which are listed in Schedule 1 of the Sex Offenders Act (N.I.) 1997.
- 3) Offences relating to indecent photographs of children which are listed in Schedule 1 of the Sex Offenders (N.I.) Act 1997.
- 4) Offences under the law of some jurisdictions 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.

NOTE: "Conviction" does not include any conviction that is a "spent" conviction for the purposes of the Rehabilitation of Offenders legislation. "Custodial sentence" includes a suspended custodial sentence.

Designated Officers must satisfy themselves that the offence falls within the "relevant offences" listed. If there is any doubt, Designated Officers are advised to seek Legal advice.

Individual case circumstances will vary. In many cases, however, Social Services or the Probation Board, who will be in contact with the Housing Executive or Housing Association, will know the Applicant.

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5.6.2 OFFERS OF ACCOMMODATION: RULE 64

The restrictions as outlined aim to strike a balance between promoting and preserving the peace of mind of parents, children and young families on one hand, while ensuring that we will be able to continue to offer suitable temporary and / or permanent accommodation to those who are entitled to it.

(a) Permanent Housing

Regardless of his / her place on the Waiting 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:

- i. It is accommodation which, in the opinion of the Designated Officer, is predominantly let to tenants who do not have children within their households.
- ii. 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.
- iii. Where applicable, the Applicant would not be in breach of the terms of his / her licence or Probation Order by accepting that accommodation.
- iv. It is not, in the opinion of the Designated Manager or his / her nominee, "unsuitable" accommodation as defined in Rule 65.

Accommodation that satisfies the criteria set out above can conveniently be described as "adult" accommodation. Older people's dwellings and, in many Local Offices, blocks of flats, are likely to satisfy those criteria. As a general rule, a "permanent" restricted Applicant should not be housed in any accommodation other than "adult" accommodation.

Each Assistant Area Manager should identify all the Housing Executive accommodation within the Local Office area that satisfies the criteria above. The Local Office's list should be agreed with the Regional Manager. Local Office's should, in co-operation with the local Housing Association Office, identify the Housing Association accommodation within the local office area, which, if it was Housing Executive accommodation, could be classified as "adult".

If the "adult" Housing Executive accommodation in any Local Office constitutes less than 5% of all the individual lettings which the Designated Manager expects to be

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made in the coming year, there should be further discussion between the Local Office, the Regional Office and the Housing Centre.

It may be helpful for Designated Manager to take advice from other agencies, principally Social Services, prior to finalising their proposed list of Housing Executive and Housing Association accommodation for those with restricted choices. In this way, the relevance and proximity of schools, community and recreational facilities can be taken into account.

The Housing Executive should inform Social Services of the areas of choice (updated as necessary from time to time) chosen by all those who are subject to permanent housing restrictions. Social Services, the Probation Board and the Police should be informed of accommodation that is deemed to be unsuitable. They should inform the Executive if, but only if, they consider that there is good reason to believe that the Rule 65 criteria are relevant to a particular Applicant in respect of any of his areas of choice.

In the above circumstances the following message should be recorded on the Person UDC - (User Defined Characteristic) "Check Person Notes– Contact Assessing Officer Rule 62 Relevant Offence"

For additional information on the relevant aspects of work of the Public Protection Arrangements Northern Ireland (PPANI) and how to respond when they become aware or are advised that a tenant or applicant is, or may be, a sex offender refer to Chapter 2 of the General Housing Policy Guidance Manual.

(b) Temporary Accommodation

Under the Housing Order 1988, the Housing Executive temporarily houses Applicants in any of the following circumstances:

- i. Pending a final Housing Executive decision under the Homelessness legislation in respect of an Applicant who may be homeless and has a Priority Need.
- ii. Where the Housing Executive accepts that it owes the Full homelessness duty towards the Applicant, it will continue to house the Applicant in temporary accommodation until an offer of permanent accommodation can be made.

Restrictions are imposed at the temporary housing stage in relation to:

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- (a) Anybody who has been convicted of a relevant offence, regardless of whether or not a custodial sentence was served.
- (b) Any such Applicant who is currently facing charges in respect of any relevant offence (again regardless of whether or not such an offence if proven would attract a custodial sentence).
- (c) Any Applicant who is suspected by Social Services (in light of a Child Protection Case Conference or Risk Assessment Meeting) of currently posing a risk, in terms of sexual abuse, to any child or children generally.

(c) Distinction between Permanent and Temporary Restricttees

NOTE: In terms of temporary accommodation placement, the restriction policy also applies to individuals who were neither convicted nor charged with an offence, but whom Social Services consider a serious risk. The distinction between permanent and temporary Restricttees is merited for the following reasons:

- Restriction of choice in the offer of permanent re-housing is a significant withdrawal of a human right as compared to a temporary placement in accommodation.
- The nature of temporary accommodation and the type of families to be found in hostels suggest that it would be prudent to adopt this approach.

(d) Offers of Temporary Accommodation

As a general rule “temporary Restricttees” should not be offered temporary accommodation:

- In any bed and breakfast establishment or guesthouse which is also used for housing families.
- In any hostel used for housing families.

The above does not prohibit the use of hotels.

Designated Officers will still be permitted to place an Applicant in a hotel (as a last resort until cheaper suitable accommodation can be accessed).

Designated Officers are obliged, however, to advise the Hotel Manager that the person being placed is currently charged or has received a custodial sentence in respect of a relevant offence.

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Information shared with Hotel Managers should be on a “need to know” basis and restricted to what the Designated Officer feels is appropriate to divulge regarding the background of a particular Applicant.

The Applicant should be advised that the Hotel will be made aware of his / her background.

In each Area, a detailed needs analysis should be carried out in order to assess the Housing Executive’s requirements for temporary accommodation for such Applicants.

Each Area should aim to meet all its own needs for the temporary accommodation of such Applicants within three years. The temporary accommodation strategy of each Area should be designed to achieve that aim.

Each Area should draw up a comprehensive list of all the temporary accommodation available for such Applicants within the Area.

5.6.3 THE APPLICANT’S AREA OF CHOICE

Applicants who are “temporary” Restricttees, but who will not be “permanent” Restricttees, should be advised by the Housing Executive Local Office in relation to their permanent housing choices. In particular, unless there are exceptional circumstances, they should be advised to voluntarily narrow their choices, with a view to avoiding locations in which young families predominate.

In practice, many such Applicants are only too willing to avoid family accommodation, either because they are concerned for their own safety or because of a genuine wish to avoid re-offending. Accordingly, the Housing Executive’s advice in this connection will not necessarily be unwelcome. In any event, the advice should be given in a non-confrontational manner, and the Applicant’s perspective should be taken fully into account.

If such an Applicant, however, is determined to act contrary to advice, he should be advised that:

1. The Housing Executive might regard him as having made himself intentionally homeless;
2. The Housing Executive would not award him Intimidation Points should he subsequently be intimidated from a dwelling in a location in which he insists on being housed.

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Nevertheless an Applicant would not be under any direct compulsion to accept the advice. He / she would be entitled to the offer of a particular dwelling and should be offered that dwelling if the rules of the Selection Scheme entitled him to such an award, even if the Housing Executive had advised the Applicant not to seek housing in the location in which the dwelling was situated.

The legal requirements in relation to suitability of temporary accommodation under the homelessness legislation are described below:

(a) Suitability

Accommodation provided to the Applicant must be reasonably suitable. Suitability refers primarily to matters of space and internal arrangements. It can, however, also relate to location. What is reasonably suitable for a particular Applicant depends on a number of factors. One of those factors is the length of time which the Applicant will be expected to occupy the accommodation. Accommodation that might fail the test of suitability because of its location, if it were being offered to the Applicant on a permanent basis, may well satisfy the test of suitability of location if it is being offered only on a temporary basis.

(b) Location

Location may be relevant in relation to questions of suitability because of issues such as nearness to an Applicant's work or nearness to people who can provide him with family support.

Each Area should draw up a comprehensive list of all the temporary accommodation available for the housing of people who are suspected or convicted of the sexual abuse of children.

Note that such accommodations need not, at the time of considering an allocation, meet the children / families criteria. It is the "predominantly let" aspect of the criteria that is important.

5.6.4 UNSUITABLE ACCOMMODATION: RULE 65

"Unsuitable" accommodation is accommodation which complies with sub-paragraphs 1) to 3) of Rule 64, 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.

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- 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. Consideration of the circumstances of someone already living at that location (the most obvious being proximity of a victim or a relative of the victim) must be taken into account.

Exceptionally, accommodation which satisfies the criteria set out in Rule 64 may not be suitable for a particular Applicant because of the specific location of the particular accommodation, or because of the specific circumstances of that Applicant.

In determining the suitability of permanent accommodation, especially as regards location, due account has to be taken of the fact that the Applicant will, potentially at least, be there permanently as distinct from being there only for a relatively short period.

In such circumstances that accommodation need not be allocated to a relevant Applicant if the prior written approval of the Housing Executive's Regional Manager has been received in respect of that course of action. It is suggested that the Regional Manager's power of approval in this context should be sparingly exercised. It is important, however, that the stock available for the housing of people subject to permanent housing restrictions should not be reduced disproportionately.

5.6.5 EXCEPTIONS TO THE GENERAL RULE

"The general rule" referred to in Rule 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.

5.6.6 SUBSEQUENT ACQUITTAL

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

The implication of the "no detriment" proviso is that, in the event of an acquittal, an Applicant would have to be considered for a transfer. Alternatively the Applicant would have to remain in temporary housing pending the outcome of the proceedings, an outcome which might be months or years away.

5.6.7 SHARING OF INFORMATION

Sharing of information is crucial in dealing with such cases and it is therefore imperative that relevant information is shared between Local Offices to enable the policies to be applied. Health and Social Services have also endorsed the proposals consulted upon, as have the Police, and mutual sharing of information between the Housing Executive and these agencies should also be forthcoming. It is important to remember, however, that the Housing Executive must arrive at the appropriate re-housing decision based on the policies outlined.

The Housing Executive should share information with Social Services and with the Probation Board whenever law permits the disclosure of such information, and to the fullest extent allowed by law. The task of risk assessment is an important task. It is not, however, a function of the Housing Executive. Accordingly, Housing Executive Designated Officers should not participate in decision-making or discussion in the course of risk assessments carried out by one or more of the bodies who do have functions in that connection. In response to requests from any such bodies, the Housing Executive should, however, be willing to provide any information which can lawfully be provided in order to facilitate them in carrying out their task.

Comprehensive protocols must be agreed between the Housing Executive and Social Services and between the Housing Executive and the Probation Board.

Voluntary organisations should also be advised in any instance where a “restricted” Applicant is being offered / placed in their accommodation. Similarly, voluntary organisations should share relevant information with the Housing Executive when we are considering re-housing of such Applicants.

Whenever a relevant incident involving an Applicant becomes a controversial issue in the media, the Communications Department of the Housing Executive will deal with the matter.

It is not appropriate that the Housing Executive informs tenants when such Applicants are allocated accommodation in a neighbouring area. Social Services are the agency with the primary responsibility for child-protection. They will inform individuals where they consider there is to be a need to do so.

Private sector establishments should be advised when an Applicant being placed falls within the category outlined. Inevitably, this may result in them refusing to accept the Applicant but the need to inform them appropriately is seen as over-riding.

A view has been expressed by some Housing Associations that although sheltered accommodation might well fit the criteria outlined, it is not considered suitable by

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virtue of young families / grandchildren visiting such complexes on a regular basis. Ultimately this decision rests with the Landlord in question, but in any event effective liaison should occur when dealing with a specific Applicant and the Association must be fully informed of the circumstances.

5.7 OFFERS OF ACCOMMODATION

All Designated Officers are responsible for ensuring that every Applicant who receives an offer of accommodation has been selected in accordance with the rules of the Selection Scheme and that there is no higher pointed relevant Applicant on the Waiting List at the time the offer is made, (see also Allocations to Transfers, Chapter 7 paragraph 7.11).

Allocations should only be made from HMS Waiting List. – Designated Officers should make offers from a Match List on HMS; whilst an offer is outstanding the applicant's name will not appear on a subsequent Match List.

Subject to the property satisfying the specific location characteristics (in terms of e.g. work, schools, proximity to essential support), its size and features, it should be allocated to the person on the Waiting List with the highest points. Any Offer / Allocation made outside the strict order of the General rule should be clearly marked on the Applicant / transfer file.

Please note:

A warning message that an Applicant is disqualified only appears when they are being matched on a multiple offer match list.

It is therefore important, when a lettings Manager / designated officer is using a non-multiple offer match list for an allocation, they check if the Applicant is currently disqualified by scrolling across to the DSQR column at the end of the right-hand side of the offer match list before issuing an offer to that Applicant.

Where practical, offers should be delivered *by hand* or, alternatively, sent to the prospective Applicant *by first class post*. In addition when an offer is made the local office should follow up the offer by sms texting, e-mailing or telephoning

When making offers to prospective tenants it is important to reduce the period given to consider the offer to a minimum, thus reducing the risk of illegal occupation or of any rental loss. Normally the Applicant should be allowed 2 / 3 working days to respond to the offer. Where the Applicant does not contact the office within the time allowed the offer should be deemed to be refused and keyed on HMS as "no reply to offer" and the dwelling offered to another Applicant on the Waiting List.

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Before making offers a check should be made on the number of reasonable offers which have been made to date to make sure that the correct offer letter is issued. This is particularly important where a case is at the second offer stage and a refusal may result in deferral.

It is important to notify the relevant officer when Complex Needs Cases are being offered accommodation.

5.7.1 OFFERS TO 16 / 17 YEAR OLD APPLICANTS

When making an offer of accommodation belonging to one of the Participating Landlords to a 16 / 17 year old Applicant, the Applicant must be advised that a Guarantor will be necessary.

Where a 16 / 17 year old cannot or will not get a Guarantor, then he / she should not be granted a tenancy as there would be no way of enforcing the tenancy conditions.

If a tenant who is 16 / 17 years wishes to transfer and is offered accommodation prior to their 18th birthday, then it would be necessary to have a new guarantee form signed for the new address.

Guarantors

A Guarantor must be over 18 years and must sign a guarantee that he / she will ensure that the 16 / 17 year old meets the requirements of the tenancy agreement. The Guarantor can be held liable for all breaches and obligations under the Participating Landlord's tenancy agreement, including the payment of rent and / or any other charges relating to the tenancy, which may arise before the Applicant's 18th birthday.

Where Health and Social Services continue to provide support / services under the Children Order, 1995 for a 16 / 17 year old, then the Landlord may require a representative from Health and Social Services to act as Guarantor.

The guarantee form must be signed by the Guarantor and by the Designated Officer from the Landlord. A copy of the signed guarantee form must be returned to the Guarantor along with information on the General Conditions of Tenancy. This is very important as it is required to ensure offer and acceptance of what is actually a contract.

It is recommended that the Guarantor sign the guarantee form and the 16 / 17 year old Applicant sign for the tenancy together at the Landlord's Office. This guarantee must be signed prior to the 16 / 17 year old being granted a tenancy of the property.

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The prospective Guarantor should be advised that as they are signing a binding legal contract and therefore he / she may wish to take independent legal advice.

A copy of the guarantor form is attached at Appendix 5.2. This form should be reproduced at each Housing Executive Local office. Housing Associations may also wish to use this form.

5.7.2 ALLOCATIONS TO STAFF AND RELATIVES (HOUSING ASSOCIATIONS)

In relation to an allocation in any of the circumstances detailed below please refer to Chapter 10.6.1(h) of this Manual.

- i) a member of staff, or a relative (refer to NIHE CoC 19.6 paragraph 2 appendix 1 copied below) of a member of staff.
- ii) an applicant who is closely associated with the officer or the partner of the officer who is responsible for making the allocation.

5.7.3 PRE-ALLOCATIONS (New build only)

Designated Officers should, if possible, pre-allocate new dwellings prior to the handover stage to help prevent squatting. Prospective tenants should be issued with an appropriate pre-allocation letter to present to the Contractor when viewing the dwelling.

5.7.4 OFFER LETTERS

Lettings Managers / HA Allocations Officers must ensure they generate the correct letter each time they make an offer i.e. either First or Final Offer Letter and whether the tenancy commencement date is confirmed or yet to be confirmed. Offer letters are to be issued by Lettings Manager / HA Allocations Officer and they must clearly sign their name on the Offer Letter before issuing it. A sample Offer letter is included at Appendix [5.9](#). All letters include information advising applicants what happens if they refuse the offer or do not reply to the offer.

Offer letters advise what steps non-FDA applicants should take if they believe the offer they have received is not reasonable or suitable for their household. ALL customers who are owed the Full Housing Duty under the homeless legislation (FDAs) **MUST** be advised of their 'Right to Review' the suitability of an offer of permanent accommodation by a social landlord. The Offer letter provides clear guidance as to what to do if the applicant feels that the accommodation offered is not suitable and that the offer is not reasonable. There is a space within all Offers for the Lettings Manager / HA Allocating Officer to insert by hand contact details of the NIHE Regional Review Officer in the Region **where the property is located** when the

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offer is being made to a Full Duty Applicant. (Contact details are included at Appendix 5.10).

5.7.5 PENDING / ACCEPTED OFFERS REPORT

To facilitate communication between Lettings Managers / HA Allocations Officers and Housing Advisors / Patch Managers / HA Housing Officers a Pending / Accepted Offers Report is available to update staff on any offers of accommodation made to or accepted by their applicant / transfer applicant. This is included in the Daily Housing Reports and is for information only for both Housing Executive and Housing Association staff. Applicants will remain on the report until they are rehoused or the offer is refused. This information will give staff an opportunity to discuss the offer with their applicant / transfer applicant and assist with any support requirements they may have identified.

5.7.6 NUMBER OF OFFERS: RULE 56

On or after 30th January 2023 (the Effective Date) all Applicants will be entitled to receive a maximum of two reasonable offers. This is subject to the following transitional arrangement that any Active and/or Deferred Applicant who has, at the Effective Date, already received two reasonable offers of accommodation will be entitled to receive one further reasonable offer of accommodation.

Any Applicant who refuses 2 reasonable offers will automatically be deferred for a period of one year, (see para 5.8.1, Refusal of Offers – Deferrals) regardless of whether they are Full Duty Applicants or are awarded FDA points during the offer process.

Exceptionally, where an Applicant has refused two reasonable offers, and subsequently becomes a Full Duty Applicant within the 1 year deferral period through the award of Intimidation and / or Homelessness points, he / she will be entitled to **one** further reasonable offer (See paragraph 5.8.4 below). If the Applicant refuses this 3rd reasonable offer then the Housing Executive's duty under the provisions of the Housing (NI) Order, 1988 will be considered to have been discharged.

Rule 56 A. Sequential Offers

The entitlement to receive a maximum of two 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.

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5.7.7 REASONABLENESS OF OFFERS: RULE 57

Before making an offer of accommodation the designated officer should satisfy themselves that the accommodation is suitable for the applicant and all members of their household who reside with them, or might reasonably be expected to reside with them.

Determining the suitability of the proposed accommodation may involve a multi-disciplinary approach with information from medical professionals and/or other agencies to assess specific housing need. This will include, but is not limited to factors such as the type, location and amenities of the accommodation. Designated Officers should take an evidenced based approach and consider what is reasonable with regard to the applicant's circumstances and the circumstances of all members of their household.

(a) Size of Accommodation

Reference should be made to the "Size of Accommodation Guide" (contained within this section) to determine the minimum bedroom requirements of an Applicant's household. This does not, however, restrict a Participating Landlord from offering accommodation that is larger than that needed for a particular household. In all cases, Allocating Officers should consider an Applicant for accommodation that meets their minimum bedroom requirements. Applicants may also be considered for accommodation which is one bedroom in excess of their minimum requirements.

The dwelling offered must be of a suitable size for the Applicant's household. Designated Officers should ensure that the bedroom requirements identified meet the applicant's current need when making an offer. Normally Applicants will be considered for accommodation on the following basis:

Single adults, couples and two children of the same gender, or different genders if aged 7 or more, each require a minimum of a separate bedroom with a bed space for each person. Children of different genders aged 7 or more should not normally have to share a bedroom.

Where two or more different families are sharing accommodation the children from these families, irrespective of age and sex, should not be expected to share a bedroom with members of the other family.

Where an Applicant's family contains children from one or more previous relationships these should be considered as being part of the one family group

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Applicants with regular overnight access to children should be treated the same as a family that contains children from one or more relationships and these should be considered as being part of the one family group.

SIZE OF ACCOMMODATION GUIDE

Single Person	1 Bedroom	1 Bed Space
Couple	1 Bedroom	2 Bed Spaces
2 Persons (not a couple) or 1 Parent and 1 Child	2 Bedrooms	2 Bed Spaces
Couple and 1 Child or 1 Parent and 2 Children	2 Bedrooms	3 Bed Spaces
Couple and 2 Children	2 Bedrooms	4 Bed Spaces
1 Parent and 1 Adult and 1 Child	3 Bedrooms	3 Bed Spaces
1 Parent and 3 Children or Couple and 1 Adult and 1 Child or 1 Parent and 1 Adult and 2 Children	3 Bedrooms	4 Bed Spaces
Couple and 3 Children or 1 Parent and 4 Children or Couple and 1 Adult and 2 Children	3 Bedrooms	5 Bed Spaces
Couple and 4 or more Children or 1 Parent and 1 Adult and 3 or 4 Children	4 Bedrooms	6 Bed Spaces

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

Depending on the particular needs of the Applicant's household a greater number of bedrooms may be required. Also, where there are no other Applicants with the required household size on the Waiting List for the accommodation on offer, smaller household Applicants may be considered for the property.

The "minimum size" rule does not prevent a Participating Landlord from offering an Applicant accommodation that is larger or smaller than their needs. The overall demand, turnover and supply of a particular type of accommodation in an Estate / Project will need to be taken into account e.g. there may be occasions where a single Applicant will be considered for 3 bed accommodation where the demand for such accommodation in an Estate / Project has been met. Alternatively, there may be occasions where an Applicant who needs 4 bed accommodation will be considered

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for 3 bed accommodation, where the accommodation size required by a household is in very short supply in the Estate / Project of their choice.

Large Families

Although Applicants normally should be allocated accommodation appropriate to the size of the family, in many cases such accommodation will not be available for large families. Applicants with very large families should be allocated the largest accommodation available, even though this may not be ideal in the circumstances, provided it is larger than the family's current accommodation. Designated Officers may also consider offering very large families two properties in close proximity, if available.

(b) Location of Accommodation

The accommodation offered will be located within in a Common Landlord Area (CLA) corresponding with the Applicant's selected area of choice. When making an offer the location of schools, work places and any essential care / support requirements of the Applicant, or any member of the Applicant's household, must be considered alongside any evidence which would make the location of the property unsuitable

(c) Suitability of Features

The dwelling must be reasonably suitable for the needs of the Applicant or members of the Applicant's household. For example, the Applicant may require ground floor/level access accommodation or need to have access to certain facilities on the ground floor, or the Applicant may also require sheltered or wheel chair accommodation.

(d) Condition of dwelling

The dwelling must be in a reasonable state of repair and must not be statutorily unfit. It should be safe for occupation at the commencement of the tenancy. In many cases Commencement of Tenancy repairs will be required to bring the dwelling back to its original condition for an incoming new tenant. It is good practice to View the property with the prospective new tenant in order to discuss the repairs which need to be carried out. This will be helpful for the prospective new tenant to know what to expect when he/she moves into the new home.

Local office staff should aim to advise incoming tenants regarding the timescale for completion of outstanding repairs. They should also provide support for

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incoming tenants by letting them know date when they are expected to move in etc.

5.7.8 APPLICANTS' PREFERENCES AND NEEDS: RULE 58

Applicants may indicate a preference for a particular type of property e.g. bungalow, mid-terrace house etc., but in making an offer the Designated Officer will not regard this preference as being an essential need. Only in those cases where there is an accepted need for a particular type of dwelling, e.g. a person with severely restricted functional mobility requiring ground floor accommodation, should the Designated Officer be restrictive in the type of accommodation offered (see paragraph 5.7.7, Reasonability of Offers and Applicant Preference).

5.7.9 REASONABLENESS OF OFFERS AND APPLICANT PREFERENCE: RULE 60

Occasionally Landlords may be approached by Applicants requesting an offer of accommodation which, in the normal course of events, the Landlord would not normally consider to be a reasonable offer. Where a Landlord is able to make such an offer to an Applicant, and that offer is subsequently refused, it will be treated automatically as being one of the Applicant's two reasonable offers (see paragraph 5.7.5, Maximum Number of Offers).

5.7.10 WITHDRAWAL OF OFFERS: RULE 58A

5.7.10.1 RULE 58A WITHDRAWAL OF OFFERS

- 1) The Landlord may withdraw an offer of accommodation any time after the offer of accommodation and before the grant of tenancy where the Designated Officer decides, on reasonable grounds, that the requirements of one of the sub-paragraphs listed below have been met:
 - 1) That one or more of the conditions set out in the Offer letter is not met or has been breached.
 - 2) That the offer was made on the basis of a material error of fact or law by the Landlord (subject and without prejudice to Rule 58A (2))
 - 3) That the offer is no longer considered reasonable under the rules of the Housing Selection Scheme on the basis of information subsequently becoming available.
 - 4) That the Applicant is no longer able to take up occupancy of the property within a reasonable period of time.
 - 5) That unless the offer is withdrawn, there is likely to be a significant risk to the personal safety of the Applicant, a member of their household or a member of another household within the locality of the property.

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- 2) An allocation of accommodation will be withdrawn any time after the offer of accommodation and before the grant of tenancy, in either of the following circumstances:
- 1) Where, the Applicant is no longer eligible for an allocation of accommodation on grounds of unacceptable behaviour because of a decision made by the Landlord pursuant to Article 22A(6) of the Housing (NI) Order 1981 or any statutory modification or replacement of that Article.
 - 2) Where, for whatever reason, the Applicant is not eligible or longer eligible, for an allocation of accommodation as a Person From Abroad or a Person Subject to Immigration Control under Article 22A(1)(a) or (b) of the Housing (NI) Order 1981 or any statutory modification or replacement of that Article.

5.7.10.2 GROUNDS FOR THE WITHDRAWAL OF AN OFFER: RULE 58A

All Designated Officers are responsible for ensuring that every Applicant who receives an offer of accommodation has been selected in accordance with the rules of the Housing Selection Scheme. From 30 January 2023, following changes introduced as a result of the Department for Communities' Fundamental Review of Allocations, a new Rule 58A has been included within the Housing Selection Scheme to make it clear that an offer of accommodation can be withdrawn in certain specified circumstances at any time before the grant of the tenancy. It sets out the circumstances in which a Designated Officer *may* exercise discretion to withdraw an offer and the circumstances in which an offer *must* be withdrawn as a mandatory action i.e. in instances of ineligibility (see Rule 58A (2)). The withdrawal of an offer is a significant measure to take. A decision to withdraw an offer should not be made without firstly undertaking a robust investigation into the Applicant's circumstances to ensure and document that there are reasonable grounds for that decision in line with the Rule.

5.7.10.3 GROUNDS FOR THE WITHDRAWAL OF AN OFFER: RULE 58A (1) - DISCRETION

Under Rule 58A (1), the Designated Officer *may* exercise their discretion to withdraw the offer of accommodation, at any time before the tenancy is granted (generally this will be the date on which both parties sign the tenancy agreement. Legal advice should be sought if there is any significant time period between that date and the date specified as the date on which the tenancy commences) if having investigated the circumstances they decide that any of the following grounds apply.

- 1. Where one or more of the conditions set out in the Offer letter is not met or has been breached.**

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The offer letter sets out that the offer is conditional on certain listed grounds. Should those conditions not be met any time up to the signing of the tenancy agreement then the Designated Officer may consider withdrawing the offer. The conditions as set out below are the standard conditions generally attached to an offer of accommodation;

- a) The information supplied by the Applicant in connection with the offer is true, correct and complete.
- b) The Applicant has notified the Housing Executive of any material change in their circumstances or the information supplied by them prior to accepting the offer.
- c) The premises will be vacant and available for occupation by the Applicant on the date specified. The Housing Executive will make every reasonable effort to ensure the property is available on that date, but does not accept responsibility should unforeseen circumstances arise which prevents this happening.
- d) If the Applicant is currently a Housing Executive/ Housing Association Tenant, they are required under the terms of their tenancy to provide written notice of the termination of their existing tenancy to their landlord. The Applicant will be required to give vacant possession i.e. must return the keys and not leave anyone living in the property.
- e) Acceptance of the Housing Executive's general conditions of tenancy (1989 edition), a copy will be provided prior to signing for the premises.
- f) The Applicant complies with the Housing Executive's ID requirements (both photographic and otherwise).

2. Where the offer was made on the basis of a material error of fact or law by the Landlord (subject and without prejudice to Rule 58A (2).)

In circumstances where a material error has been made by the Landlord, the Designated Officer may consider withdrawing the offer. A material error can be one which is significant because of its seriousness or because a different decision might have or would have been made if that error had not occurred.

Examples of circumstances where staff may consider withdrawing an offer of accommodation under this ground include the following but are not limited to:-

- If an offer was made to the incorrect person as a result of them sharing the name of the Applicant in which the offer was intended for.
- Where it is subsequently established, following the offer of accommodation being made, that points had been awarded where the policy was not applied correctly or the relevant evidence was not sought or the relevant evidential criteria not met.

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In all circumstances, staff must take into account the potential impact on the highest pointed relevant Applicant, including any member of their household, if the offer was not to be withdrawn.

In cases where an error was made by the Landlord regarding an incorrect eligibility decision, the Designated Officer should refer to Rule 58A (2). The Designated Officer must ensure that the appropriate ground is selected on HMS to ensure that the correct information is provided to the Applicant on the withdrawal letter (see 5.8.3).

3. Where the offer is no longer considered reasonable under the rules of the Housing Selection Scheme on the basis of information subsequently becoming available.

An offer may be withdrawn where the Landlord is satisfied that, following the consideration of all of the information available, the offer of the dwelling is no longer reasonable in line with the Rules of the Housing Selection Scheme. Designated Officers should consider the particular circumstances of the Applicant and any supplementary information received or provided as well as relevant factors such as the suitability of the size, location, features and condition of the accommodation.

Withdrawal on this ground may include where there has been a change in the applicant's (or their household's) circumstances and had this been the case when the offer was made, the offer would not have been made to that applicant.

Furthermore, this ground may be considered where an Applicant is offered a property which has features e.g. ground floor, wheelchair standard and/or adapted accommodation and following investigations it is determined that they do not require that property type.

NOTE: The Designated Officer must ensure that where an Applicant has provided information regarding a change in circumstances, and as a result, wishes to refuse the offer as it is no longer reasonable, the offer should be categorised as a reasonable refusal, rather than a withdrawal. However, if at the conclusion of a robust investigation, the Designated Officer concludes that the accommodation no longer meets the specific needs of the Applicant, but the Applicant wishes to accept the offer, the Designated Officer may withdraw the offer under this ground.

4. Where the Applicant is no longer able to take up occupancy of the property within a reasonable period of time.

The Designated Officer should be satisfied following reasonable and proportionate attempts to arrange the sign up of the tenancy following the acceptance of the offer, that the Applicant is no longer able to commence their tenancy within the agreed timeframe.

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When considering a reasonable timeframe, it is at the discretion the Designated Officer to determine a reasonable period in which an Applicant should complete the sign up for the offered dwelling and be expected to take up occupancy. Designated Officers should be reasonable in agreeing the tenancy commencement date, taking into account the particular circumstances of the Applicant and their household as well as the housing demand in the area of choice and any other relevant factors. As a general rule, the Applicant should take up occupancy within 7 days of the date in which the tenancy should commence. However, it is important that each case should be considered on its own merits and in exceptional circumstances, the general timeframe may be extended

Although, it would generally be inappropriate to hold an offer open indefinitely where a property is ready for occupation, there may be exceptional circumstances in which the timeframe required before occupation cannot be determined. The Designated Officer should seek further advice from the Housing Policy Team/Legal Services should this situation arise.

NOTE: Where it is established that the Applicant is unable to take up occupancy of a property and will be unable to do so for longer than the general timeframe of 7 days, it may be appropriate for discussions to take place regarding a manual deferral of the Application where applicable (see Chapter 3.28.3).

The Designated Officer should also be mindful of the potential risk that an Applicant may or could intentionally delay their tenancy commencement with the aim of having the offer withdrawn. In these instances, the Designated Officer may categorise the result of the offer as an unreasonable refusal rather than withdrawing the offer. This decision should be documented with robust notes on HMS, justifying the decision to make the offer an unreasonable refusal.

5. Where, unless the offer is withdrawn, there is likely to be a significant risk to the personal safety of the Applicant, a member of their household or a member of another household within the locality of the property

NOTE: When this ground is under consideration there should be no other less intrusive measure to safeguard the personal safety of vulnerable person.

Where there is subsequently good reason to believe that rehousing the Applicant or a member of the Applicant's household in the dwelling is likely to be of significant risk to their personal safety, the Designated Officer may consider withdrawing the offer.

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‘Significant risk’ relates to the likelihood of the risk occurring i.e. being highly probable. It will be necessary to carry out a robust investigation which will include obtaining information from the PSNI and/or other relevant agencies to confirm if, on the information available, they are of the opinion that there is a significant risk to the applicant or member of their household and, if so, the geographical area to which the potential risk extends. Information may be received via other sources including PPANI/ MARAC and/or the Homeless Policy Team.

Whilst a risk to a person’s personal safety may be in relation to a fear or threat of violence, this may not necessarily be physical. Designated Officers should therefore consider any information relevant to the ill treatment and impairment of physical and/or mental health, which could reasonably be considered to pose a significant risk to the personal safety of the Applicant, or a member of their household. Individual case circumstances will vary, therefore, the Designated Officer should consider any relevant information supplied by Health and Social Services, PSNI, Probation Board and/or other agencies or individuals. The Designated Officer should investigate the particular circumstances of the Applicant and the offer of accommodation and liaise with the relevant agencies/individuals and must obtain evidential confirmation of the significant personal safety risk.

Consideration may also be given to the potential consequences to the personal safety of a member of another household within the locality of the property where there are reasonable grounds for doing so. This would apply to other individuals who reside within the locality on a permanent basis. Similar evidential requirements as above are applicable in these cases.

NOTE: Ground 5 is very much an exceptional ground given its impact on those individual’s affected and should therefore only be considered where exceptional circumstances exist. It should not be used if there is a less intrusive measure/s that can be taken to address the risk. The Housing Executive will need to show that the decision to withdraw an offer of accommodation is a proportionate one and necessary to achieve the aim of minimising a significant risk to the personal safety of an individual. The Designated Officer must contact the Housing Policy Team for further advice and guidance if a withdrawal under Ground 5 is being considered.

5.7.10.4 GROUNDS FOR THE WITHDRAWAL OF AN OFFER: RULE 58A (2)

As opposed to Rule 58A (1), if either of the following circumstances prevail, the Landlord must withdraw the offer of accommodation. This is because the legislation prohibits the Housing Executive and Housing Associations from allocating housing accommodation to an ineligible person.

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NOTE: As per Chapter 2.6.5 of the Housing Selection Scheme Guidance Manual, and in line with Standing Orders, any decisions regarding ineligibility should be made by a Team Leader.

NOTE: the decision in relation to eligibility rests with the assessing officer. The decision to make an applicant ineligible, following a robust investigation, must be made and keyed before withdrawing the offer.

1. Where, the Applicant is no longer eligible for an allocation of accommodation on grounds of unacceptable behaviour because of a decision made by the Landlord pursuant to Article 22A(6) of the Housing (NI) Order 1981 or any statutory modification or replacement of that Article.

This ground for the withdrawal of an offer is applicable where an Applicant or a member of the Applicant's household is guilty of unacceptable behaviour serious enough to make them unsuitable to be a Housing Executive/ Housing Association tenant, at any time during the lifetime of their application being considered they are unsuitable to be a tenant of the Housing Executive by reason of that behaviour. The Designated Officer should only consider behaviour which would entitle the any social landlord to obtain a possession order under Ground 2 or 3 of the Housing (NI) Order 1983 and that the possession order would not be suspended. Legal advice should be sought as to whether that condition would be met.

Staff may consider if the Applicant or a member of their household has been guilty of conduct causing or likely to cause a nuisance or annoyance to a person residing in or visiting the dwelling or if the Applicant has been convicted of an offence using a dwelling or allowing it to be used for illegal purposes. Examples of nuisance or annoyance which may be considered but is not limited to:-

- a one-off serious incident
- situations where there have been a substantial number of incidents including those of a relatively minor but persistent nature which have continued for a period of time despite warnings to the individual and support services offered , e.g. noisy parties; loud music; persistent noise nuisance
- Harassment which is having a seriously detrimental effect on the victim or members of their household.
- Violence or threat of violence to other tenants, residents or persons going about lawful business in the locality
- Damage or a threat of damage to property

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Eligibility should be considered right up until the tenancy agreement is signed. The Designated Officer should refer to Chapter 2.6 of the Housing Selection Scheme Guidance Manual for further information on ineligibility due to unacceptable behaviour.

1. Where, for whatever reason, the Applicant is not eligible or no longer eligible, for an allocation of accommodation as a Person From Abroad or a Person Subject to Immigration Control under Article 22A(1)(a) or (b) of the Housing (NI) Order 1981 or any statutory modification or replacement of that Article.

Where, following the offer being made, there has been a material change in the Applicant's immigration status and eligibility for accommodation, making them ineligible, under Article 22A of the Housing (NI) Order 1981, for that offer of accommodation, the Designated Officer must withdraw the offer that has been made.

Furthermore, if an error has been made by the Landlord mistaking the eligibility of a Person from Abroad or Person Subject to Immigration Control and it is subsequently established at any time after an offer being made, that the person is ineligible, then the Designated Officer must withdraw that offer of accommodation.

NOTE: If the Applicant has been awarded FDA Status, they have a right to request a review of their homeless/eligibility decision through the statutory review process. Or the Complaints Process if you they are an Applicant who has not been awarded FDA Status.

5.7.10.5 OFFER WITHDRAWAL PROCEDURE

The Designated Officer must carry out a robust investigation and consider all of the relevant information before withdrawing an offer. As per Standing Orders, the decision to withdraw an offer lies with the Assistant Area Manager or higher officer (or HA equivalent). However, Lettings Managers (or Housing Association Allocating Officers) may provide the decision maker with a brief, outlining the circumstances of the case.

It is the responsibility of the decision maker, i.e. Level 7 or higher (or HA equivalent), to ensure that the offer withdrawal is keyed onto HMS by selecting the most appropriate descriptor (reason code) and that an outline the reasons for coming to their decision is added to the notes section of the offer. The withdrawal letter (see Appendix 5.11) must be signed by the decision maker, i.e. Level 7 or higher (or HA

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equivalent), and this must be scanned and uploaded on to HMS as evidence that the decision has been made in line with Standing Orders. Care must be taken when keying the offer withdrawal onto HMS by selecting the correct offer withdrawal reason (see Appendix 5.12 for table). Once the withdrawal reason has been selected, it cannot be amended or changed. If an error has been made this should be noted in the Offers notes tab on HMS and ensure the letter with the correct withdrawal reason is issued. Each withdrawal reason has a corresponding narrative (see table at Appendix 5.12) which is automatically populated onto the Offer Withdrawal to be sent to the Applicant. The narrative offers a high level explanation of the reason why the decision has been made to withdraw their offer of accommodation. As each narrative is specific to the withdrawal reason, it is vital that the correct reason is selected in order for the Applicant to receive the correct information.

Given that the letter will be system generated and to be used by both Housing Executive and Housing Association staff, the decision maker must ensure that they sign off the withdrawal letter to be sent to the Applicant.

For completeness and for auditing purposes, the decision maker should also send an internal memo to the Lettings Manager/Allocations Officer which should be retained on file or uploaded onto HMS.

Given that an Applicant will only have 7 days to make a complaint if they do not agree to the decision to withdraw their offer, it is recommended that the withdrawal letter should be emailed to the Applicant where a valid email address is available or the letter should be hand-delivered to the Applicant. Only where email or hand delivery is not possible, the withdrawal letter should be posted. This is to ensure that the Applicant has ample time to submit a complaint should they wish to do so.

NOTE: Lettings Managers should note that following the withdrawal of an offer, that property must be 'held' i.e. they should not make any further offers of that property until the 7 day timeframe to complain has lapsed (with the exception of the offer being withdrawn on the grounds that the property is no longer available for allocation). If the Applicant lodges a complaint about the offer withdrawal, the property should not be reallocated until the Applicant has exhausted the internal complaints process subject to the caveat referred to at 5.8.4 below.

5.7.10.6 COMPLAINTS RELATING TO AN OFFER WITHDRAWAL

Housing Executive staff should note that if an offer is withdrawn, the Applicant has a right to redress through the two stage internal complaints process. The complaints process will be notified to the Applicant on the withdrawal letter. The Applicant will have 7 calendar days from the date of the withdrawal letter to notify the Housing

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Executive that they wish to complain and set out their reasons for doing so. A complaint may be accepted either verbally or in writing. All complaints relating to the withdrawal will be considered to have met the complex case trigger and should be expedited to a final complaint.

As a general rule, the property should not be re-allocated until the complaint has been concluded, unless the landlord reasonably considers there are exceptional circumstances to warrant its allocation. The Landlord's discretion is to be exercised cautiously, taking into account the relevant factors, including the reasons why the offer is being withdrawn and any supporting evidence of unsuitability. All complaints relating to the withdrawal of an offer should be expedited in order to reach the final decision in a timely manner.

In circumstances where the offer has been withdrawn as result of Ground 1 or 2 under Rule 58A (2) i.e. due to unacceptable behaviour or that a Person From Abroad or a Person Subject to Immigration Control is not or is no longer eligible, if the Applicant has been awarded FDA Status, they have a right to request a review of their homeless related eligibility decision through the statutory review process.

NOTE: In these circumstances whilst the investigation into eligibility, post an offer being made, offices should hold the property until the outcome of that investigation. Furthermore, Officers should not enter into a tenancy agreement whilst the investigation is ongoing. If the applicant is deemed ineligible, this decision must to be keyed by the assessing officer **before** the withdrawal of offer is keyed. Once the withdrawal of offer is keyed the office will not be required to hold the property if the applicant requests a review or challenges the ineligibility decision.

NOTE: Housing Association staff are required to follow their own similar complaints procedure for any complaints arising following a decision to withdraw an offer of permanent accommodation.

5.8 REFUSAL OF REASONABLE OFFERS: RULE 59

Where an applicant does not respond to an offer: The Lettings Manager /HA Allocations Officers should make reasonable attempts to contact the applicant (by phone, text and email where applicable) prior to keying the offer response and record these attempts on the Offer notepad on HMS. Where the application does not belong to their office, the Lettings Manager will need to use the 'Select Office'

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tab at the front screen of HMS and change the relevant office to be able to key comments to the Offer notepad on HMS.

HA Allocation Officers will need to email the relevant office and request that these notes are keyed. If contact is not made with the applicant the offer response is keyed as an Unreasonable Refusal – ‘no reply to offer’.

Where the applicant wishes to refuse an offer: Where the applicant contacts the office to refuse an offer, the Lettings Manager / HA Allocations Officer keys the offer response to HMS. If the refusal is received in writing, this should be passed to the Lettings Manager. Where the applicant has provided sufficient detail in writing of their reasons for refusal, the Lettings Manager / HA Allocations Officer will key the refusal and make a decision on reasonableness. Where the applicant has not provided sufficient details, the Lettings Manager / HA Allocations Officer must contact the applicant to discuss the reasons for their refusal. If no contact is made the offer response is keyed as an Unreasonable Refusal – ‘reason not stated’ and all attempts to contact the applicant recorded on the Offer notepad on HMS.

If the refusal is received by phone the applicant should be passed to the Lettings Manager / HA Allocations Officer, where possible, to discuss the offer and the reasons for refusal. Where the applicant advises of any change in their circumstances they should be passed to their Housing Advisor / Patch Manager / HA Housing officer to update the application.

Right to Review / Make a Complaint: If the applicant is owed the full housing duty (FDA) then they have a right to request a review if they disagree that an offer of accommodation is suitable. Any review of the reasonableness / suitability of an offer which is requested by an applicant with Full Duty status will be dealt with by the Regional Review Officer as part of the Statutory Right to Review. **This includes offers made by HA Allocating Officers to statutory FDAs.** Where the customer is a FDA, details of the Regional Review Officer must be inserted in the offer letter (please see section 5.7.4 above and sample offer letter at Appendix 5.9).

If the applicant is **not** owed the full housing duty (non FDA) they can make a complaint if they feel the offer is not reasonable. Any complaint should be dealt with by the Area Manager as a first stage complaint in line with the complaints procedure. Housing Association should follow their own complaints procedures.

Applicants will have 40 days from the date of their offer letter to request a review if they are a FDA or to make a complaint if they are a non-FDA.

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5.8.1 REFUSAL OF OFFERS – DEFERRAL

Applicants are entitled to a maximum of two reasonable offers of accommodation (see paragraph 5.7.4). The Applicant will automatically be deferred from receiving any further offers for a period of one year from the date that a 2nd reasonable offer is refused. When the refusal is keyed a system generated letter is produced and should be forwarded to the applicant (see Appendix 5.13).

A case that has automatically been deferred will appear on the H002 'Daily Deferred Housing Applicants' Crystal report and the H001 report 'Deferred Homeless' if they had been awarded FDA. Check the '[Housing and Homeless Reports and Dashboards Manual](#)' to see appropriate action to take.

The completion of the deferral period will appear on the H006 'Undeferred Applicants' daily Crystal Report. This will allow a further two reasonable offers to be made. An update assessment should be completed to establish if there has been any change in their circumstances.

Exceptionally Designated Officers may decide not to defer an Applicant who has refused two reasonable offers of accommodation, e.g. where the Applicant is a Management Transfer Applicant and is residing in a Redevelopment Area. In such cases, however, if the tenant has refused two reasonable offers of accommodation, eviction proceedings may be started if it is considered that the re-housing of other families would otherwise be jeopardised.

If the applicant requests a review of the reasonableness / suitability of the offer or makes a complaint, the deferral **should not** be lifted. If the review/complaint results in the refusal being deemed reasonable the Lettings Manager / HA Allocations Officer must amend the Offer Response on HMS to 'a Reasonable Refusal'. This will automatically lift the deferral and change the application status to 'Active'. The Housing Advisor / Patch Manager must reactivate the FDA status on the Homelessness Application, and rekey any points which were removed from the Circumstance Table as a result of the deferral.

When reactivating an application after a deferral period staff must ensure that a **full reassessment** is completed and applicants must receive a new Choice & Points Letter (see H006 – Un-deferred Applicants (Patch & HSST) – see Chapter 10 of the HSSGM for guidance on reactivating cancelled case.

5.8.2 LIFTING OF DEFERRAL

There are two methods of lifting a deferral prior to its expiry date:

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- 1) Changing a “reasonable” offer to “unreasonable”. The system will automatically lift the deferral and reduce the number of reasonable offers made accordingly. This can only be decided / keyed by the Landlord who has made the relevant offer. Circumstances where this may arise include the receipt of new information that would influence the reasonableness of the offer.
- 2) Manually removing the Deferral by changing application status back to active. It should be noted that this has the effect of removing all previous reasonable offers and allowing a further two reasonable offers to be made. The lifting of the deferral in this scenario can only be keyed by the Housing Executive District Office / Landlord of ownership i.e. the Landlord who registered the case. This should only apply to those cases where an Applicant, who is subject to a deferral, subsequently becomes statutorily homeless (see para 5.8.4).

Where a deferral is lifted prior to its expiry date by either of the two methods listed in paragraph 5.8.2, the Homeless case should be re-opened and Insecurity of Tenure points reapplied. If dealing with a transfer case, the Management Transfer (FDA) status should be reapplied.

5.8.3 DEFERRAL PERIOD – NEW APPLICATIONS

Any new applications received during a deferral period should also be deferred (for the remainder of the original deferral period).

5.8.4 DEFERRAL: FDAS / OTHER HOMELESS

Where an Applicant has been deferred from receiving further offers of accommodation as a result of circumstances outlined in 5.8.1 above, and they are either FDA or Other Homeless Applicants, then any Insecurity of Tenure points should be removed.

In addition, where an Applicant has been awarded Management Transfer status because he / she is a Full Duty Applicant, Management Transfer status (under this category) will no longer apply and should be removed. Management Transfer status under another category may still however, be applicable, though the case will still be deferred (note exceptions above). If Management Transfer Status is removed, their application type should be amended accordingly.

In addition, any homeless case should be closed, using the reason code “Duty Discharge - 2 reasonable offers”, as the Housing Executive will be deemed to have fulfilled its obligations under the Housing Order (NI), 1988, by making two reasonable offers.

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The completion of the deferral period will appear on the daily Crystal Report (H006) 'Undeferred Applicant'. This will allow a further two reasonable offers to be made. However, the Insecurity of Tenure points should not be reapplied, and the homeless case should not be re-opened. Where Management Transfer (FDA) had previously been awarded, this should not be reapplied.

Where a deferral is lifted prior to its expiry date by either of the two methods listed in paragraph 5.8.2, the Homeless case should be re-opened and Insecurity of Tenure points reapplied. If dealing with a transfer case, the Management Transfer (FDA) status should be reapplied.

Where an Applicant who has been deferred is subsequently awarded Full Duty Applicant points for Intimidation and / or Homelessness, he / she will be entitled to one further reasonable offer of accommodation. Management Transfer status (FDA) will also apply to tenants. **In such cases, the Applicant must be issued with a manual Final letter (see Appendix 5.2).**

Should the Applicant refuse this further reasonable offer before the original deferral end date, the Application status should be amended to 'Deferred' using the original deferral date. Any Insecurity of Tenure points must also be removed and the homeless case closed. In addition, where an Applicant has been awarded Management Transfer status because he / she is a Full Duty Applicant, Management Transfer status (under this category) will no longer apply and should be removed. Management Transfer status under another category may still however, be applicable, though the case will still be deferred (note exceptions above).

5.9 DIFFICULT TO LET PROPERTIES – RULE 68

A property is a difficult to let property if:

- 1) It has been void for at least 4 weeks, and
- 2) No eligible Applicants have applied for it.

In order to decide whether or not a property or properties should be classed as 'Difficult to Let' and the Multiple Offer process used, the following factors may be taken into consideration:

The criteria detailed above in Rules 68 of the Housing Selection Scheme state the conditions that have to be met for a property to reach the status of 'difficult to let' i.e. a dwelling has been void for 4 weeks and there are no eligible Applicants on the Waiting List. It is important, however, to consider the different factors that may bring this about and some of the circumstances are detailed below.

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It would be impossible to draw up a comprehensive list of all the scenarios that would need to be met in order for a 'difficult to let' status to be reached. It is possible, however, to group a number of circumstances into categories that would result in a Designated Officer in Housing Association's or a Housing Executive Lettings Manager deciding that a dwelling(s) should be classed as 'Difficult to Let' and they are detailed below.

- 1 A District may decide that a dwelling that would normally attract considerable interest may prove difficult to let because a serious incident took place there e.g. a suicide / murder or a fire that caused death etc.
- 2 A District may consider whether the location of the dwelling(s) as opposed to the area make it / them difficult to let e.g. an end of terrace or corner site that has attracted particular problems in relation to ASB or a clash of lifestyles of existing neighbours e.g. mostly young or old people associated with that particular location.
- 3 A District may consider that the dwelling(s) may fall under this category if the following applies – the dwelling type is deemed to be substantially different from other house types in that area e.g. bedsit; or a particular unsuitable house type such as a dwelling where the previous tenant had opted out of scheme works and refused substantial improvement works; or the dwelling(s) on offer differ(s) greatly from the main accommodation in that area e.g. it is an older property surrounded by new build or a block of flats/maisonettes which are located in an area where the majority of properties are houses.
- 4 A District may consider a property difficult to let because they are aware that within the last year a similar type of property became available and they had to make a significant number of offers before it could be relet (minimum of four offers) which resulted in the property being void for an unreasonable period of time.

Note: The Designated Officer in Housing Association's or a Housing Executive Lettings Manager should ensure that he/she should only class a dwelling as 'difficult to let' if he / she is satisfied the above criteria has been met. The rationale behind their decision should be recorded on file.

The test of being void for at least 4 weeks may commence from the date the first offer was made on the property.

NB: If individual offers have already been made on a dwelling and refused and the Designated Officer in Housing Association's or a NIHE Lettings Manager

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subsequently decided that the property should be offered on a multiple offer basis, then the original offers should be considered unreasonable.

When a District decides to use the multiple offer process the matching criteria for size of accommodation may be extended by a bedroom e.g. someone assessed as requiring 2 bed may be included in a 2/3 bed match etc.

5.9.1 MULTIPLE OFFERS: RULE 69

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 that is used by all Participating Landlords until:

- 1) The accommodation is let, or
- 2) There are no eligible Applicants remaining on the Waiting List.

Designated Officers have the discretion to make simultaneous offers of accommodation to more than one Applicant, but not more than ten for each property. The normal offer period of 2 / 3 days must be adhered to. If more than one Applicant accepts the offer within the stipulated timescale, then the highest pointed Applicant who accepts the offer should be allocated the property.

All non-accepted multiple offers should be deemed unreasonable.

NOTE: The procedures for making offers to Transfers are dealt with in Chapter 7, paragraph 7.11.

The procedures for making offers to Applicants with Complex Needs are dealt with in Chapter 4, Applicants with Complex Needs.

5.10 DESIGNATION OF FLATS: RULE 70A

Rule 70A affords Participating Landlord a means to address serious anti-social behaviour perpetrated by persons under 35, in blocks which have shared access, by allowing a departure from the General Rule under very specific criteria. Under the Rule properties should not be allocated to a person less than 35 years of age (to include any member of a household to be rehoused) at any time when there is a valid designation in force in respect of that block, unless an individual has exceptional personal circumstances (as set out below).

Section 75 of the Northern Ireland Act 1998, places an obligation to promote equality of opportunity. It is with this in mind that the rule seeks to minimise any adverse effect upon young people's housing prospects. In this context the

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Designated Officer has to be satisfied that housing choices are not substantially narrowed and that young people's time on the waiting list is not greatly lengthened.

There is also provision within the Rule to allocate designated accommodation to a person less than 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.

RULE 70A

The Designated Officer has the discretion to designate a block of flats with shared access providing the following criteria listed in the Rule apply.

- (1) Subject to paragraph (4) below, accommodation within a block of Participating Landlord dwellings which have shared access should not be allocated to a person under 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 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:
 - (a) The block is predominantly occupied by persons over 35 years of age.
 - (b) The Designated Officer is satisfied that anti-social behaviour is a serious problem in relation to that block.
 - (c) The Designated Officer is satisfied that complaints of anti-social behaviour in that block are mainly being made against persons under 35 years of age.
 - (d) The 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 persons under 35 years of age in the local office will not be substantially narrowed, and
 - The length of time which persons under 35 years of age have to wait for housing in the local office will not be lengthened by more than three months.

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- (4) A Designated Officer should however allocate designated Accommodation to a person under 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 a member of the Applicant's family.

5.10.1 DESIGNATION OF FLATS IMPLEMENTATION AND MONITORING ARRANGEMENTS

In order to comply with the rule and demonstrate that Section 75 obligations have been met Designated Officers must ensure that a file is compiled for each area designated, to include information on any block that may fall within the designation, and this designation should be reviewed at least annually. A template has been developed (see Appendix 5.6) which should assist in the recording of an evidence base for all designations and should be used when creating and reviewing designation files.

The following guidelines detail the steps that need to be taken in order to designate a block of flats initially; to monitor and review existing designations; and to notify Housing Policy of any additions to and withdrawals from the list of designated stock. It is important to note that a Rule 70A designation cannot be applied to new build stock as there would not be the history of ASB associated with the block as required by the rule.

a) New Designations and Annual Review of Existing Designated Stock

*n.b. Designated stock must be reviewed **at least** every 12 months. A review may be required more frequently, for example following a large number of complaints or enquiries about a designation, or following a significant change in available stock.*

- (i) A Designated Officer for the purposes of Rule 70A refers to Area Manager / Assistant Area Manager (or housing association equivalent).
- (ii) To comply with the decision making process and criteria under Rule 70A(3) the following evidence would need to be established:

a) The block is predominantly occupied by persons over 35 years of age.

A Designated Officer should be satisfied that the significant majority of the current social housing tenants of a block of flats being considered

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for Designation would be over 35 years of age (to include household members other than the tenancy holder, but excluding owner-occupiers or private tenants). This information should be sought from the Household tab on the HMS tenancy account.

- b) **The Designated Officer is satisfied that anti-social behaviour is a serious problem in relation to that block.**

A Designated Officer should only consider ASB in relation to the block to be designated, and cannot consider ASB in relation to the general locality. Evidence in relation to Anti-Social Behaviour may include; complaints in relation to ASB received from occupants, public representatives, resident groups, PSNI, Council Officials. All relevant information should be gathered in order to obtain a full picture of the nature and extent of ASB in the blocks to be designated.

- c) **The Designated Officer is satisfied that complaints of anti-social behaviour in that block are mainly being made against persons under 35 years of age.**

The age group (less than 35) of the persons responsible for the ASB should be established when gathering information / evidence for (b) above.

- d) **The 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 persons under 35 years of age in the local office will not be substantially narrowed, and**
- **The length of time which persons under 35 years of age have to wait for housing in the local office will not be lengthened by more than three months.**

Designated Officers should be satisfied that applicants less than 35 will not have their wait for housing lengthened by more than three months, by being excluded from consideration for allocations within a designated block. As this provision is a subjective assessment it may be difficult to quantify, but factors that **must** be considered are: the extent of stock already designated in the CLA and wider general area; the extent of stock which will be available to households under 35 in the CLA if the proposed designation is approved/retained; the size and

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profile of the Waiting List; stock turnover; (n.b. where the stock falls within a rural area¹ a Rural Needs Impact Assessment will be required).

The above evidence, collated to designate a block of flats, should be maintained in a new designation file. A separate file should be maintained for each designation, with relevant information recorded on the template provided at Appendix 5.6 for any block that falls within this designation. The designation must be reviewed at least once every 12 months, but may require more frequent review (for example following a number of complaints/enquiries in relation to the designation). A new template should be completed during each review and added to the designation file.

b) Communication

- i. New applicants with areas of choice which contain designated blocks of flats should be informed of the operation of this Designated Lettings Policy. This should be done at the assessment stage and the Housing Advisor / Patch Manager (or housing association equivalent) should check whether applicants' chosen areas include designated flats and if so advise them of the operation of the policy, and that they may not be considered for those specific blocks of flats which have been designated. It is important that a Housing Advisor / Patch Manager (or housing association equivalent) identifies whether an applicant / transfer applicant has exceptional circumstances and therefore may be considered for an allocation in a designated block. They may need to discuss this with their Team Leader and seek advice from the relevant Lettings Manager (or housing association equivalent) in order to fully inform the customer on their prospects and advise properly on their areas of choice. If it is agreed that they may have an exceptional circumstances which could warrant a waiver of the designated lettings policy they should record this in notes on the customers application and advise the Lettings Manager.
- ii. Existing applicants contacting the appropriate landlords about their housing options should also be advised of areas of choice containing a designated block.
- iii. Housing Executive and housing association staff, including those Offices which have not designated any flats should be aware of all stock that has been designated. This will enable them to provide accurate advice and assistance on areas of choice for any applicants or transfer cases who

¹ The Housing Executive has adopted the Northern Ireland Statistics and Research Agency (NISRA) urban/rural definition. Please refer to the Rural Needs Policy and Procedure for further information.

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might wish to be considered for areas containing designated flats. For an up to date list of designated flats see Appendix 5.5A

- (iv). In order to assist Housing Executive and housing association staff in maintaining up-to-date information for applicants, Designated Officers should notify Housing Policy of any additions or withdrawals from the current list of designation where a decision to do so has been made between reviews and on an annual basis when reviews are carried out. An email outlining any changes to designations should be sent to Housing.Policy@nihe.gov.uk.

c) Allocations and monitoring arrangements

- i. Allocation: Accommodation within a block of Participating Landlord dwellings which have shared access should not be allocated to a person under the age of 35 years of age (the age criteria also applies to members of the household) when there is a valid designation in force in respect of that block. However as there is also provision within the Rule to allocate designated accommodation to a person less than 35 years of age, **Lettings Managers (or housing association equivalent) must take the following steps prior to making an offer of designated stock:**
- Apply the 35+ filter on HMS (along with any relevant filters for the property e.g. ground floor) to determine the highest pointed relevant applicant.
 - Remove the 35+ filter and generate a new Waiting List to identify any excluded applicants above the highest pointed relevant applicant.
 - Review any cases above the highest pointed relevant applicant to see if they have exceptional circumstances that would warrant an exceptional award of the designated property.
 - If there are no exceptional cases then reapply the 35+ filter and offer the property to the highest pointed relevant applicant.
 - If there are exceptional cases identified then the 35+ filter should not be reapplied and any cases above the exceptional case should have the 'Not Highest Pointed Relevant Applicant' bypass reason applied.
- ii. Complaints: Any complaints arising as a result of the policy, **both formal and informal**, should be monitored and recorded on the Designation file using the template provided in Appendix 5.6.

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- iii. Exceptional Circumstances: Where exceptional circumstances prevail, relevant information to justify the decision must be recorded. Evidence may include; confirmation of family connection required for essential support, Carer's Allowance in payment or verification from health professional i.e. social worker CPN / OT Care Manager/District Nurse supporting the request or other relevant information which is deemed to be pertinent. Any exceptional offers made should be recorded in the designation file using the template provided in Appendix 5.6 and should include details of why the exception was made. Case reference numbers and redacted summaries should be recorded rather than specific names.
- iv. Anti-social behaviour: Information in relation to any reports or information on ASB occurring in the block e.g. maintenance orders, contact or correspondence from residents or public representatives information from PSNI should be recorded on the Designation file throughout the year.

d) Continued Designation / Annual Review

70A designations are time bound to assist Area management teams to address anti-social behaviour which is a serious problem within specific blocks. As such Designated Officers have a responsibility to evaluate the impact of any decision to designate a particular block of flats and justify the need to continue to designate the block for allocations to Applicants and their households who are over 35 years of age. Rule 70A (2) requires that designated stock is reviewed at least every 12 months and it is the responsibility of Area management teams to ensure that this is completed. Whilst Designated Officer should use their discretion as to when to carry out an annual review of designations the beginning of the financial year should be used as a guide to when this should be done. The determination on whether to re-designate a block of flats is to **be based on the criteria as set out in the Rule and Section a) above**. Any information collated should be maintained in the designation files for each block using the template provided in Appendix 5.6.

Details (the specific address of each property in the block and HMS property reference number) of all new designations, amendments to or withdrawals from the current list should be forwarded to the Housing Policy mailbox (Housing.Policy@nihe.gov.uk).

5.11 AUTHORITY OF THE DEPARTMENT / BOARD: RULE 84

- 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 For Communities, make allocations otherwise than in accordance with this Scheme. In the case of Housing Associations, 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 the case of Housing Associations, 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.

Guidance in relation to (a) and (b) above

Whilst Rule 84 is not prescriptive in terms of what local lettings policies can be sought under the provision, the following is provided as a guide as to what a proposal under the rule should contain. It should include:

- 1. The aims and objectives of the local lettings policy;**
- 2. Who will be eligible and how this will fulfil the objective of the policy;**
- 3. How the policy will impact others, particularly in terms of the stock profile in the area and the affect it will have on the availability of housing and the waiting times for those who do not meet the qualifying criteria;**
- 4. How the policy will be monitored and reviewed to measure how effective it has been in meeting the objectives of the policy;**
- 5. How long the local lettings policy will be applicable.**

Local offices will be required to provide robust evidence and analysis to support their proposal. Draft local lettings policies for Housing Executive stock should be submitted to HousingPolicy@nihe.gov.uk for consideration and in order to draft a paper for Board approval. If approval is granted by the Board (in the case of Housing Executive proposals) or the Department (in the case of housing association proposals) this should be included in a local lettings file and will be recorded in Appendix 5.5B.

Objective of the policy

This should detail what the local office/association aims to achieve through the local lettings policy, why this is desirable and why it is not possible to achieve this through

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ordinary allocations under the general rule. As the local lettings policy should be exceptional and in the spirit of the Housing Selection Scheme, particular emphasis should be made as to how, despite the restriction, social inclusion will be promoted if approval is given for the local lettings policy.

Eligibility and how this policy will achieve the objective

In this section the local office/association should set out the terms of the policy that they wish to apply (e.g. allocations to Chinese elders only; or grouped housing for the Travelling Community). This should be specific and measurable, giving precise details where relevant. Examples would include, but are not limited to: minimum age; household group; and property type. It should also clearly outline the geographical area to which it will apply. The proposal should explain how the proposed approach will help achieve the aims of the policy and outline how this will be measured.

Impact on non-qualifying applicants

Robust evidence should be provided by the Area Office / Housing Association. Comparative analysis of the available housing stock, measured against the turnover and the profile of the waiting list is required to show how applicants who do not meet the qualifying criteria will have their housing options and waiting times affected. Data can be sought from, but is not restricted to: the housing prospects reports to determine the housing stock in a CLA; the HO21 report to view the number of recent allocations, the points level for these allocations and average waiting times; user data matching to filter waiting lists; and HMS records for detailed information on individual applications. Similarly if the local lettings policy is aimed at a specific group, evidence would be required to show the total numbers of this group waiting for housing in the area against the overall waiting list. This could be achieved by generating a waiting list with the necessary filter categories applied, for example Chinese Elders, and comparing it to the general waiting list for stock of that size in the area (a specific report can be obtained from Business Intelligence Team, IT, if required).

Monitoring and review

The proposal must clearly outline how and when the policy will be reviewed in the event that approval is granted. Whilst the timescale for review will vary depending upon the nature of the policy, it would be anticipated that it should be at least annually in most cases, with the scope to react to any pressing issues if required. The proposal will also need to clearly show what measures will be in place to assess how effectively the local lettings policy will meet the objective, and how the policy will be amended or withdrawn in the event that it does not prove effective.

Whilst the initial approval will be granted by the Board or the Department depending upon whether the proposal is from the Housing Executive or a housing association, all subsequent reviews must be completed by an Area Manager, or equivalent in the case of housing associations. Evidence gathered for each subsequent review should be maintained on the appropriate designation file and should form part of the comparative evidence for each subsequent review. All complaints or correspondence in relation to the local lettings policy should be recorded on the file.

Timescale

As local lettings policies are exceptional departures from the Housing Selection Scheme, they should in most cases be time limited. The proposal should detail the timeframe in which it is to apply and the exit strategy once this period has ended. In exceptional cases local lettings policies may need to be more open ended, but this would need to be clearly justified with stronger evidence to support it.

All proposals must be recorded on a local lettings policy file. In the event that a local office/association has more than one local lettings policy each should have its own file. Proposals should be developed and approved by the Area Manager (or equivalent in the case of housing associations) based on detailed analysis and evidence which supports the policy objectives.

In the case of Housing Executive local lettings policies, these should then be sent to the Housing Policy section (Housing.Policy@nihe.gov.uk) for consideration before preparation of a paper for approval of the Board. The Board will then consult with the Department for Communities to determine whether authority will be granted. In the case of housing associations approval should be sought directly from the Department. Proposals submitted to the Department should be based on detailed analysis and evidence. If consent for any local lettings policies is granted such approval should be added to the relevant file.

Any new local lettings policies which have been approved by the Board or Department, or any amendment or withdrawal of existing LLP should be notified to the Housing Policy team as soon as possible. By email this should go to: Housing.Policy@nihe.gov.uk. By post the address is: Housing Policy, NIHE, 9 Lanyon Place, Belfast BT1 3LP.

5.12 APPLICANTS LOSING TIED ACCOMMODATION

In relation to applicants losing Tied Accommodation the Board of the Housing Executive and the Department for Communities authorised, pursuant to Rule 84 of the Scheme, Assistant Area Managers to use their discretion to re-house, outside the usual terms of the Housing Selection Scheme certain persons who are about to lose tied accommodation in Northern Ireland providing they meet the following criteria.

The revised policy is approved on the basis that it will help prevent homelessness and contribute to the Housing Executive's overall Homelessness Strategy.

Criteria for applying Rule 84 for Applicants Losing Tied Accommodation

- (1) Applicants who have applied for accommodation on the basis that they are losing tied accommodation should be considered under the Housing Selection

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scheme in the usual way. However, further consideration in relation to an allocation may be given to the Housing Services Manager providing all the following criteria apply:

- (i) The applicant or a member of his/her household has been in permanent (i.e. not temporary or fixed term) employment for a period of at least 2 years, and
 - (ii) The applicant must leave accommodation supplied in connection with that employment because of ill health, redundancy, retirement or the death of the tenant.
- (2) If the applicant states he/she, or a member of his household, left employment because of ill health, redundancy or retirement, verification should be sought from the employer.
- (3) The Assistant Area Manager may approve or request another Local Office or other participating landlord to consider an Applicant likely to lose their tied accommodation in the near future (normally within 3 months) for an allocation of accommodation in accordance with Rule 84 of the Housing Selection Scheme.
- (4) Where an Applicant or a member of his /her household voluntarily leaves employment to better him/herself in other employment, the Applicant should not be considered for an allocation in accordance with Rule 84. Similarly, where an Applicant must leave tied accommodation because he/she or a member of his/her household has been dismissed from their employment, the Applicant should not be considered for an allocation in accordance with Rule 84

Applicants losing tied accommodation in Northern Ireland and meeting all the above criteria should be considered under the Housing Selection Scheme in the usual way.

The Assistant Area Manager should only consider making an allocation under Rule 84 of the Scheme or requesting another Assistant Area Manager or Landlord to adhere to a request to do so if it is evident that the applicant will not be able to be rehoused in his\her area of choice within a reasonable period of time before the date they are expected to leave their tied accommodation.

If the Assistant Area Manager wants to consider an allocation under Rule 84 of the Scheme for losing tied accommodation he/ she will need to have documentary evidence on file in relation to the above criteria from the applicant's employer of the following:

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- i. The date the Applicant, or a member of his/her household, took up their current employment and that this contract of employment had been offered on a permanent basis and that part of the contract **included taking up tied accommodation.**
- ii. The employer must confirm in writing, that the applicant must leave the accommodation supplied in connection with that employment because of ill health, redundancy, retirement or the death of the tenant. **Please note that the two year qualifying period of employment applies in all of the above circumstances.**
- iii. The assessing Assistant Area Manager will record appropriately that he/she is satisfied all the appropriate evidence has been obtained and that he/she has decided to use their discretion to make an allocation under Rule 84 of the Scheme on the basis that it is evident that the applicant would not be rehoused within their Areas of choice within a reasonable period of time before losing their tied accommodation.

Where the above criterion applies and the Applicant has requested accommodation with another Social Landlord or within another Local Office area, the assessing office should liaise with the relevant designated officer to establish the following:

1. Prospects of the applicant being rehoused with current points level
2. If there is suitable accommodation within their area of choice
3. The average turnover for that estate

Having carried out the above investigations, if it is evident that the applicant will not be able to be rehoused within their areas of choice within a reasonable period of time before losing their tied accommodation, the letter in Appendix 5.6, should be completed and forwarded to the appropriate Designated Manager.

Administration

In order to maintain a record of all cases to be considered for an allocation under Rule 84 of the Scheme for applicants losing Tied accommodation, the assessing office should record the following comment "Rule 84 Losing Tied Accommodation" on the comments field of the particular CLA. A file should also

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be maintained in all Offices to record all cases. The file may contain the following.

1. Details of when the Local Office has assessed a case and used Rule 84 to make an allocation within its own Local Office.
2. Retain a copy of relevant correspondence (Appendix 5.6) made by another assessing Assistant Area Manager/Housing Manager.
3. Retain a copy of any requests (Appendix 5.6) made to another Assistant Area Manager/Housing Manager to consider an allocation under Rule 84 of the Scheme.

Please note this discretion can be applied up to three months prior to the date the applicant has to leave their tied accommodation. As the intention of this policy is to prevent homelessness it should be explained to the applicant that when they are considering their areas of choice they should give it careful consideration and widen their areas of choice to enhance the prospects of them being rehoused before being forced to leave their Tied Accommodation. It is generally expected that once an applicant has left tied accommodation an allocation under Rule 84 would no longer be considered appropriate and any allocation made to the applicant(s) would comply with the general rules of the Housing Selection Scheme.

- iv. Where an applicant or a member of his / her household voluntarily leaves employment or has been dismissed from their employment, No Consideration should be given to an allocation under Rule 84.
- v. Normally no more than one allocation per household can be made under this policy.

5.13 Guidance on the Assessment and Re-housing of Tower Block Residents to Facilitate Clearance under the Tower Block Action Plan. (In relation to Allocations and Communications)

1.0 Allocations

- 1.1 In accordance with Chapter 7 of the Housing Selection Scheme Guidance Manual, it is critical that the correct Transfer 'Application Type' and the appropriate Management Transfer category are correctly recorded on HMS as this information is used to determine the allocation order. Chapter 7.11 of the Housing Selection

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Scheme Guidance Manual specifies the Rules that govern allocations to Transfer as follows:

1.2 *ALLOCATIONS TO TRANSFERS: RULE 46A, RULE 71, RULE 72*

In making an allocation a landlord has to determine whether it should be made to an Applicant or a Transfer. The intention of the Rules that govern allocations are to uphold the principle of allocation on the basis of greatest objective need, whilst also empowering landlords to exercise good housing management when considering allocations to Transfer Applicants.

This section details the policy and procedures to be followed in relation to the allocation to a Transfer. Guidance in relation to the allocation to an Applicant is detailed in Chapter 5 of the Housing Selection Scheme Guidance Manual and should be read in conjunction with this section when making an allocation.

An allocation to a Transfer is made in accordance with Rule 46A (detailed below). The purpose of this rule is to allow a landlord to except Transfers from the general rule in relation to 'Applicants' as set out in Rule 46.

The exception allows a landlord to match both ordinary transfer applicants and management transfers together in the order determined below for an allocation and subject to a resultant vacancy being allocated to a relevant applicant.

1.3 *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.

1.4 *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.

1.5 *Rule 72 Allocations to Transfers*

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When considering allocations to Transfers the designated officer should follow the principles set out in Rule 72 and an appropriate matching list of Transfers should be considered alongside the housing needs of highly pointed Applicants.

1.6 Landlords will use the following principles when making allocations to Transfer applicants:

- 1) Allocations should be made as fairly and impartially as allocations to Waiting List Applicants.
- 2) 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.

1.7 ***Deciding whether to allocate to an Applicant or a Management Transfer/Transfer***

When making allocations; as stated in Rule 71 above, the total waiting list content should be considered each time a void property is being re-let. When making an allocation, an appropriate matching list of Transfers should be considered alongside the housing needs of all Applicants, particularly those with high points/intimidation points. When considering an allocation, the normal 'filters' should be applied to reflect the type of accommodation being allocated e.g. ground floor (GF), where the property is a bungalow or ground floor flat; non-ground floor (GFN), where the property has 2 or more storeys; wheelchair (WHEEL), where the property has been built/adapted to meet the needs of a wheelchair user etc. The following additional 'filters' can be applied on HMS to view the relevant matching lists as indicated:

- **To view the full waiting list of both Applications AND Transfers for that property type:** No additional filters should be applied.
- **To view the waiting list for Housing Applications ONLY:** Filter for Application Type AP only.
- **To view the waiting list for NIHE and HA Management Transfer ONLY:** Filter for Application Types EM, HM and IM only.
- **To view the waiting list for NIHE and HA 'ordinary' Transfers ONLY:** Filter for Application Types ET, HT and IT only.

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As well as considering the highly pointed Applicants, a number of other factors should be taken into consideration when deciding whether to allocate a property to an Applicant or a Transfer e.g. the ratio of one transfer allocation to two Waiting list allocations, as indicated at point 5 in Rule 72 above. However, Point 5 above indicates that where this ratio is not achievable, an appropriate ratio should be applied. This allows greater consideration of relative housing needs of Management Transfers in order to facilitate clearance, as the agreed clearance date nears.

- 1.8 The wording in Rule 72(5) affords the scope to adjust the balance of the ratio in the context of specific housing need. Therefore in the case of clearance / redevelopment, an appropriate ratio may be higher towards transfers when “paying due regard to relative housing need of Waiting List and Transfer Applicants”. The specific mechanics/operation and timeframe for the ratio is not prescribed in the HSS and in practice can often be achieved retrospectively.

1.9 ***Allocating to a Management Transfer/Transfer***

If, after considering the above circumstances, the landlord decides to allocate a property to a Transfer, they can then decide to consider Management Transfers only, or to include Ordinary Transfers. The Management Transfer categories are listed below:

List of Management Transfer categories			
1	Full Duty Applicant	5	Demolition/stock transfer move
2	Neighbourhood dispute deteriorating	6	District heating debt increasing
3	Redevelopment move imperative	7	Sheltered development internal move
4	Decanting move imperative	8	Adapted purpose built move

- 1.10 As the Department approves Business Cases/Economic Appraisals for individual Blocks in accordance with the Tower Block Action Plan, this will prompt urgency in the requirement to re-house residents. Assessment of tenants and other applicable residents has been outlined in Section 2.0. In order to facilitate stock clearance or redevelopment for decanting purposes, there is a higher duty incumbent upon the landlord to re-house the Transfer Applicant, as a transfer is imperative within a specific Action Date. The principles regarding allocations to Transfers should still

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apply in so far as possible. The criteria detailed below should be used to determine the order of merit in relation to an allocation to a Management Transfer:

- When a landlord is considering a Transfer for an allocation, the first group to be considered should be Tenants who have been awarded Management Transfer status because the landlord has to work to a timetable to manage the stock and it requires the tenant to move (categories 3, 4, 5 & 8 in above table).
- Management Transfer applicants will appear on HMS Matching List by order of their points awarded, with the highest pointed applicant at the top. It will be necessary for the Lettings Manager to determine the Management Transfer reason and Management Transfer Action Date. The only way of establishing both of these critical points is by checking the *Circumstances Table* for each case. This is a cumbersome, but necessary exercise to enable the Lettings Manager to distinguish Management Transfer cases that require re-housing more urgently owing to the objectives of the Action Plan.

1.11 As it is likely that many Management Transfer applicants will have the same Application Date, Management Transfer reason and Management Transfer Action Date, it will therefore be necessary to further distinguish between cases to decide which MT applicant is allocated a void property. It is likely that the majority of MT applicants in a Block to be cleared will have similar:

- Application Date.
- Management Transfer Reason.
- Management Transfer Action Date.
- Awarded the same points.

1.12 In such circumstances, the order of preference for allocation purposes to be considered is prescribed as follows:

1. Management Transfer Action Date.
2. Points awarded.
3. Application Date.
4. The preferred order of clearance by the Area Office. For instance, if a decision has been made following consultation with Asset Management and in line with health and safety procedures to clear the block by floor or in another specified manner.
5. Date of occupancy in their current accommodation in the Block. The date of occupancy should prioritise the tenants that have resided in the Block for the longest period.

1.13 It is very important that Lettings Managers record the specific details relating to the steps taken and justification of the allocation. This would be good practice in the event

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of any future audits being carried out or any potential legal challenges, whilst ensuring there is accountability for each allocation being made.

1.14 *Deferrals*

In the event of a MT applicant being deferred for the refusal of two reasonable offers, in order to progress with the clearance of the Block, it may be necessary for the Local Office to manually lift the deferral to enable the individual to be offered a void property. Consideration for lifting a deferral should be done in respect of the guidance provided in the Chapter 5.8 of the Housing Selection Scheme Guidance Manual.

1.15 *Exceptional Circumstances*

Area Managers should contact the Housing Policy Team for further advice and guidance should they become aware of any exceptional circumstances that arise, in advance of DfC approval of the Business Case, that may have an effect on the assessment, allocation and subsequent re-housing of residents in a Tower Block.

2.0 *Communication*

2.1 Once DfC approval is acknowledged, re-housing of residents from Towers Blocks will be required as a matter of urgency, this may increase pressure on the effective use of available voids within a CLA. All social housing stock should be utilised and allocations made in accordance with the Scheme rules for Management Transfer cases. The majority of residents will have a preference to be re-housed in the local area, therefore this can be managed by Lettings Managers utilising available existing stock. However there will be instances where a resident will opt to move to another area. These cases should be highlighted and good communication will need to ensue with the following:

1. Internally with other Area Offices as Lettings Managers may not be aware of the urgency to clear a Block from other areas.
2. Externally with Housing Associations.

2.2 *Internal Communication*

It is anticipated that not all Tower Block residents will have a preference to be re-housed within the locality and some may wish to move to other areas. These cases should be identified and highlighted to other Area Offices, specifically engaging with Lettings Managers' and Management in the office where the preference is. As the Tower Block strategy is targeting different areas within different timescales, this should not bring forward any issues for re-housing for the areas clearance objectives. The Patch Manager should initiate contact with Lettings Managers in other offices when a resident has chosen an AOC outside of the locality to raise the profile of the

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applicant and to highlight the priority to re-house this resident to enable effective clearance of the Block.

The Patch Manager should discuss AOC's with Tower Block residents. It would be recommended that the Patch Manager makes contact with the appropriate Lettings Manager/Housing Association allocating officers who deal with allocations within the resident's preferred choices, in order to establish housing demand in the area and associated prospects for re-housing.

2.3 External Communication

It will be very important to ensure that Housing Associations with stock within the areas of choice are also aware of any clearance plans and there is collaborative working between housing bodies. Close links with Housing Associations with stock in the area will need to be established. Offices should endeavour to establish good communication with Management and staff from applicable Housing Associations. Accordingly, this should then result in strong liaison between Letting Managers, Patch Managers and HA Allocations Officers. A separate LSA will be issued to Housing Associations highlighting any allocations and communications considerations. The Housing Policy team will ensure that Housing Associations are made aware of the need for collaborative working to address the Tower Block Action Plan objectives utilising the Housing Executive and Housing Associations Joint Housing Forum.

- 2.4** It will be important to inform them of the current situation with respect to clearance of a Block within a specified CLA. It may also be beneficial to highlight specific Management Transfer applicants to raise the MT applicant's profile in order to make Allocations Officers aware of the urgency to re-house residents of Tower Blocks to enable clearance. This should be completed in adherence with the rules of the Housing Selection Scheme. This would enable Housing Associations to assist with re-housing Tower Block tenants with Management Transfer status and applicants resident in the Tower Blocks who require re-housing, in their void properties. Additional consideration should be given to the following:

2.5 Nominations to Housing Associations (if applicable)

In previous redevelopment areas, a nomination process has been utilised by working closely with colleagues in the social housing provider that is responsible for the new build scheme. This has been a process that has been carefully operated by establishing good communication between the Housing Executive and the new social housing provider responsible for the new build development on the site. The rules of the Housing Selection Scheme must be adhered to.

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- 2.6 Relevant Local Office staff will have to work closely with Housing Association's Allocations Officers regarding the matching, selection and offer process when the allocations are being made to any applicable new build scheme.

APPENDIX 5.1 Accessing the report

Accessing the report

- This report should be available within the 'Housing VCPL' folder within crystal reports entitled H021 – Social Housing Letting Report.

Running the report

- Once the report is accessed a number of criteria need to be completed to run the report. See screen below.

The screenshot shows a web-based form titled "View - H021a - Social Housing Letting Report". The form has a header bar with the title and a sub-header "CLA Filter - NIHE DISTRICT/CLA Filter - CLA/CLA Filter - HMS CLA Code". Below this, there are several input fields and dropdown menus. The first section is "Enter NIHE DISTRICT:" with a dropdown menu showing "West Belfast". The second section is "Enter CLA:" with a dropdown menu showing "Andersonstown". The third section is "Enter HMS CLA Code:" with a dropdown menu showing "DA00". The fourth section is "Enter Min Bedrooms:" with a text input field containing "1". The fifth section is "Enter Max Bedrooms:" with a text input field containing "4". The sixth section is "Enter Allocation Period:" with a dropdown menu showing "Allocations in last 24 months" and a text input field below it containing "730".

View - H021a - Social Housing Letting Report

CLA Filter - NIHE DISTRICT/CLA Filter - CLA/CLA Filter - HMS CLA Code

Enter NIHE DISTRICT:

West Belfast

Enter CLA:

Andersonstown

Enter HMS CLA Code:

DA00

Enter Min Bedrooms:

1

Enter Max Bedrooms:

4

Enter Allocation Period:

Allocations in last 24 months

Enter a Value:

730

Local office should be selected from drop down

All CLAs within the local office will be available for selection.

Once a CLA is chosen the relevant CLA code will populate for selection.

The number of bedrooms required should be entered. A range of bedroom sizes can also be searched for.

A range of allocation periods can be selected such as over last 6 month, 12 months, 18 months or 24 months depending upon the office requirements.

Report Results

- The report will display information based on the search criteria in relation to the total number of customers queuing on the waiting list, numbers and type of stock owned by the NIHE, allocations made across general needs social stock and the level of demand for the particular CLA.

District: West Belfast

CLA: Andersonstown

Property Size (Bedrooms): 1 To 4

Waiting List Data		Waiting List Total (Applicants & Transfers)			Highest Total Points	Req Ground Floor	Int. Sheltered Accom		
		2,885			396	770	183		

NIHE Stock	Total Properties	Bungalow	Houses	Cottages	Ground Floor Flats	Upper Floor Flats	Other Flats	Mais	BedSits
	1,462	114	816	0	207	152	0	160	13

Allocations in the last 24 Months						
General Needs		Total Allocations In Period	Min Points	Max Points	Median Points	Average Waiting Time (Weeks)
Applicants by HA		149	90	370	182	150.18
Applicants by NIHE		120	74	350	171	156.08
Mgt Transfers by HA		44	12	320	139	97.05
Mgt Transfers by NIHE		28	10	346	119	135.21
Transfers by HA		10	10	300	76	75.30
Transfers by NIHE		11	0	100	30	75.55
		362				

Property Type	House	Bung	Cottage	GF Flat	UF Flat	MAIS	Other
No. of Type Allocated by NIHE	49	17	0	44	49	0	0
No. of Type Allocated by Housing Associations	73	6	0	38	86	0	0

High Demand				
-------------	--	--	--	--

Allocations to Sheltered Accommodation	Allocs to Sheltered Accom	Min Points	Max points	Median Points
	30	2.00	366.00	156.00

Sharing Information

The H021 report is to facilitate staff in providing housing prospects advice.

It should be noted that the report contains information in relation to numbers of allocations in particular estates/CLAs by Application types. Where these allocation figures are low (e.g. if there has only been one allocation in the past six months for any of the Application types), there is potential that the identity of the person allocated (and therefore their points level) could be readily deduced.

Care should therefore be taken when sharing such information with others as part of housing prospects discussions.

Where the report contains statistics on more than 10 allocations, a copy may be supplied to the applicant during a housing prospects interview; however where the report contains stats of <10, a copy of the report should not be given to an applicant.

Waiting List Data

The waiting list data displays the number of both applicants and transfers (including those requiring supported accommodation) queuing for the CLA and bedroom size searched for. This takes into account those who require additional bedrooms than those automatically calculated by HMS.

- This data displays the highest pointed applicants/transfers on the list as well as the numbers requiring ground floor accommodation or who are interested in sheltered accommodation.
- This element of the report is updated every month.

Waiting List Data	Waiting List Total (Applicants & Transfers)	Highest Total Points	Req Ground Floor	Int. Sheltered Accom
	2,885	396	770	183

NIHE Stock

- The NIHE Stock table displays all properties owned by the NIHE depending upon the search criteria entered. These properties are displayed by property type so as facilitate staff to provide housing advice on issues such as if there are any ground floor properties in stock.
- If there were no properties in stock this table would be blank.

NIHE Stock	Total Properties	Bungalow	Houses	Cottages	Ground Floor Flats	Upper Floor Flats	Other Flats	Mais	BedSits
	1,462	114	816	0	207	152	0	160	13

Allocations

The Allocations table provides details on the number of allocations made to applicants, transfers and management transfers. These allocations are split by the type of allocation and whether NIHE or a Housing Association made the allocation. The allocations display for the time frame in the initial search criteria.

Allocations to applicants and transfers requiring supported accommodation are excluded for the purposes of this report. The allocations within the H021 report include tenancy types 'WL'; 'TR'; 'blank'; and 'null'. It is anticipated that the tenancy type field within HMS will be a mandatory field in the near future to ensure that this field is always completed.

Furthermore, this section of the report provides information on the points level at which these allocations were made and the average waiting time for those who were allocated properties.

- If there were no allocations within the timeframe searched for this table would be blank.
- An additional table provides a breakdown of the type of NIHE or Housing Association properties which were allocated within the timeframe specified. This facilitates provision of advice as to the type of property which is most commonly let.
- This element of the report is updated every night.

Allocations in the last 24 Months

General Needs	Total Allocations in Period	Min Points	Max Points	Median Points	Average Waiting Time (Weeks)
Applicants by HA	149	90	370	182	150.18
Applicants by NIHE	120	74	350	171	156.08
Mgt Transfers by HA	44	12	320	139	97.05
Mgt Transfers by NIHE	28	10	346	119	135.21
Transfers by HA	10	10	300	76	75.30
Transfers by NIHE	11	0	100	30	75.55
	362				

Property Type	House	Bung	Cottage	GF Flat	UF Flat	MAIS	Other
No. of Type Allocated by NIHE	49	17	0	44	49	0	0
No. of Type Allocated by Housing Associations	73	6	0	38	86	0	0

Level of Demand for CLA

Level of Demand	How demand is calculated
No Known properties/turnover	<ul style="list-style-type: none"> No NIHE properties in stock and no allocations of Housing Association stock for the search criteria specified.
Very Low Demand	<ul style="list-style-type: none"> 4 or more allocations of social sector stock within the search criteria specified and median level of points at which these were allocated to applicants were less than 30 points.
Low Demand	<ul style="list-style-type: none"> 4 or more allocations of social sector stock within the search criteria specified and median level of points at which these were allocated to applicants were between 30 and 69 points.
Medium Demand	<ul style="list-style-type: none"> 4 or more allocations of social sector stock within the search criteria specified and median level of points at which these were allocated to applicants were between 71 and 139 points.
High Demand	<ul style="list-style-type: none"> There were less than 4 allocations of social sector stock within the search criteria specified; OR 4 or more allocations of social sector stock within the search criteria specified and median level of points at which these were allocated to applicants were greater than 139 points.
Notes: The median value is used rather than the mean as it will rule out an unusually low or high level of points. In a median measurement, the data are arranged from lowest to highest: i.e. 75, 80, 85, 90 and 370. In this example the median is 85 whereas the mean would have been 140 due to one very high figure.	

INFORMATION ON ALLOCATIONS TO SHELTERED ACCOMMODATION

- The allocations of sheltered accommodation provide some basic information on the number of allocations to both applicants and transfers including the minimum, maximum and median level of points at which these were allocated at. The sheltered accommodation allocations has not been utilised in the demand calculations.

Allocations to Sheltered Accommodation	Allocs to Sheltered Accom	Min Points	Max points	Median Points
	30	2.00	366.00	156.00

APPENDIX 5.2: Form of Guarantee in respect of Tenant under Eighteen.

Landlord: Northern Ireland Housing Executive of 2 Adelaide Street, Belfast, BT2 8PB.

Premises:

Date of Commencement of Tenancy, the x day of 20xx.

Name(s) of Tenant(s):

Name(s) of Guarantor(s):

Address of Guarantor (s):

Telephone Number of Guarantor (s):

In consideration of the Landlord agreeing to let the premises referred to above to the Tenant, I, the above mentioned guarantor, guarantee to you that the Tenant shall at all times duly pay all rent that may accrue due in respect to the above premises and will duly perform and observe all the terms and conditions of the tenancy and I undertake and agree that I and my heirs, executors and administrators will at all times hereafter pay and make good to you on demand all loss, costs, damages and expenses occasioned to you by the non-payment of the said rent or any part thereof or the breach or non-performance or non-observance of any of the said terms and conditions on the part of the Tenant and all costs and expenses incurred by you in recovering possession of the premises,

AND any neglect on your part in enforcing or giving time to the Tenant for payment of the rent or any part thereof or the observance or performance of any of the said terms or conditions shall not in any way release me or my heirs, executors and administrators in respect of my or their liability under the foregoing guarantee and in particular any notice to terminate the tenancy given by either party to the other and afterwards withdrawn or waived either with or without any knowledge shall not affect this guarantee which will nevertheless remain in full force. This guarantee is to remain in force until the Tenant attains the age of eighteen.

A copy of the Housing Executive's General Conditions of Tenancy (1989 Edition) has been furnished to me / us.

Dated this x day of 20xx.

Signed _____

Northern Ireland Housing Executive

Signed _____

Guarantor

APPENDIX 5.3 Manual Final Letter of Offer to Deferred Applicant who becomes FDA

Contact address:

Office address:

Our Ref:

Date:

Dear

Draft Letter of Offer to Deferred Applicant who becomes FDA

Under the rules of the Housing Selection Scheme, you are not entitled to another offer for housing as you have been offered and refused the maximum of two reasonable offers and are currently deferred. However, as you have been assessed under the Homelessness legislation and accepted as a Full Duty Applicant, then pursuant of that homelessness duty, the Executive is prepared to treat you as though you were entitled to one further offer under the Scheme.

If you refuse this offer of accommodation, you will lose all points you have been awarded in respect of your homelessness and you will continue to be deferred from receiving any further offers for the remaining period. In addition, any duties owed to you under the Housing (NI) Order 1988, including the provision of temporary accommodation and furniture storage will come to an end.

The Executive can offer you (on the terms and conditions set out in the Executive's general conditions of tenancy, 1989 edition) the tenancy of @ ----- bedroom/s @ at -----
---- commencing on -----

The charges for the property are:

Rent @ per week

Rates @ per week

Heating charge @ per week

Other charges @ per week

Total payment @ per week

You MUST contact the above office before noon on the **(Reply by date)** to advise us of your decision. Applicants are also encouraged to arrange a viewing of the property before they decide to accept or decline an offer of accommodation.

Housing Benefit

The Housing Executive operates the Housing Benefits Scheme which may entitle you to a reduction on the rent and/or rates.

Please note: - Proposed changes to Housing Benefit

If you currently receive or are considering applying for Housing Benefit you should take into account these proposed changes before deciding whether to accept an offer of accommodation that is larger than your current household requirements. Information on these proposed changes and details on claiming Housing Benefit are explained in the attached HB leaflet.

Sign-Up of new tenancy - ID Requirements

In order to sign for a tenancy you must provide proof of identification. In addition to this we will also ask to take a photograph of all tenant(s) at sign-up as part of the Housing Executive's Fraud Strategy.

For more information on the above including details on the type of identification you need to bring with you for the sign-up, please refer to the '*Tenancy Fraud Leaflet*' which is attached to this offer letter.

Types of Tenancy:

If you are not already a secure tenant of the Housing Executive or a registered Housing Association, this offer is in respect of an Introductory Tenancy which will last for a period of 12 months. Providing the tenancy is not brought to an end before that time, it will become a secure tenancy unless possession proceedings have commenced.

This is a Conditional Offer:-

1. The information supplied by you in connection with this offer being true, correct and complete.
2. That you have notified the Housing executive of any material change in your circumstances or the information supplied by you prior to accepting this offer.
3. That the premises will be vacant and available for occupation by you on the date specified. The Housing Executive will make every reasonable effort to ensure the property is available for you on that date, but does not accept responsibility should unforeseen circumstances arise which prevents this happening.
4. If you are currently a Housing Executive/ Housing Association Tenant you are required under the terms of your tenancy to provide written notice of the termination of your existing tenancy to your landlord. You will normally be required

to give vacant possession i.e. you must return the keys and not leave anyone living in the property.

5. Acceptance of the Housing Executive's general conditions of tenancy (1989 edition), a copy will be provided to you prior to signing for the premises.
6. That you consent to and comply with the Housing Executive's ID requirements (both photographic and otherwise).

N.B. The Housing Executive may withdraw the offer of housing or seek recovery of the tenancy if any of the above conditions are not met.

Transfers and Rights to Buy:

- a) You may not be eligible to apply for a transfer until 2 years after your tenancy commences.
- b) If this property is either a single storey property or ground floor dwelling (other than a flat) with no more than two bedrooms, then it will not be possible to sell it to you under the Housing Executive's Statutory House Sales Scheme.
- c) Please note that the right to buy only arises after you have been a secure tenant of the Housing Executive or other relevant body for a period of not less than five years. Previous secure tenancy periods may count in calculating the required five year qualifying period. You cannot apply to buy during an introductory tenancy year, even if you were previously a secure tenant. However, upon completion of the introductory year, it will count towards the eligibility criteria.
- d) If this property has been built, acquired or improved by the Housing Executive in the current year or in the previous ten financial years, your right to discounts could be greatly reduced if you apply to purchase.

If you are owed the Full Housing Duty under homelessness legislation

If you are a person who is owed the full housing duty then you have a right to request a review if you disagree that the accommodation in this offer is suitable.

If you wish to request a review, you must do so within 40 days of the date of this letter. While there may be circumstances in which the Housing Executive will agree to extend this period of time, it is important to understand that this is not automatic and will only be extended if the Housing Executive considers that there is good reason for doing so. You or someone acting on your behalf may make representations in writing to the Housing Executive in connection with the review. The Housing Executive will advise you of the

outcome of the review of your case within 56 days of receipt of your request, or such longer period as may be agreed between the Housing Executive and you.

If the Housing Executive has provided you with temporary accommodation it may consider that it is appropriate to continue to provide this accommodation pending the outcome of the review, even though it is under no duty to do so.

In the event that you are dissatisfied with the review decision, you may appeal to the County Court on a point of law. In those circumstances, if the Housing Executive has provided you with temporary accommodation it may consider it appropriate to continue to provide you with accommodation pending the outcome of that appeal, even though it is under no duty to do so.

If you require clarification on any of the above matters before accepting the tenancy please contact the District Office at the above address before signing for the property.

Yours sincerely

Insert relevant officer

APPENDIX 5.4: RULE 48: DEPARTURES FROM THE GENERAL RULE

District / Hs Assoc.	Ref No	Name of Applicant / Tenant	Address of Property Accepted	Property Details [Size, Type, Special Features]	Tenancy Com Date	Reason for Departure/ Comments

APPENDIX 5.5A - Blocks of Flats Designated under Rule 70A

Area	Landlord	Blocks Designated		CLA Name
West Belfast (Belfast Region)	NIHE	Divis Tower	17 x bedsits; 57 x 1 bed flats; 21 x 2 bed flats	DA27 Divis Complex
	Choice Housing	College Court Central, King Street	31 x 2 bed apartments	DA26 Hamill St/John St
	Radius Housing	Galway Place, 3 Galway street	11 x 1 bed apartments	DA26 Hamill St/John St
		College Place, 55 Hamill Street	3 x 1 bed apartments; 14 x 2 bed apartments	DA26 Hamill St/John St
South & East Belfast (Belfast Region)	Choice Housing	80A Haywood Ave	3 x 1 bed flats; 2 x 2 bed flats	DA94 Ormeau Lwr
		Blackwood St Ormeau Rd	17 x 1 bed flats; 2 x 3 bed flats	DA94 Ormeau Lwr
		Ulidia House, Donegal Rd	25 x 1 bed flats; 8 x 2 bed flats	DA99 Donegall Rd
	Radius Housing	St. Johns Close, 2 Laganbank Road	48 x 1 bed apartments	DB02 Cromac
North Belfast (Belfast Region)	NIHE	Mount Vernon House	20 x 1 bed flats; 42 x 2 bed flats	DA56 Mount Vernon Multis
		Grainne House	12 x 1 bed flats; 50 x 2 bed flats	DA47 Carlisle Multis
		Eithne House	50 x 2 bed flats	DA47 Carlisle Multis
		Maeve House	1 x 1 bed flat; 49 x 2 bed flats	DA47 Carlisle Multis
		Block 62 Carlisle Road	16 x 1 bed flats	DA46 Carlisle/New Lodge
		Duncairn Garden Flats	53 x 2 bed flats	DA58 Duncairn Gdns/Newington
		Castleton Avenue Flats	5 x 2 bed flats	DA52 Gainsborough/Mountcollyer
		Fortwilliam Parade Flats	1 x 1 bed flat; 8 x 2 bed flats	DA60 Skegoneill/Ashfield/Fortwilliam
		Greencastle Place Flats	14 x 2 bed flats	DA51 Graymount/Shore Crescent
		Greencastle Close Flats	20 x 1 bed flats	DA50 Whitewell/Fairyknowe
		Shore Crescent:		DA51 Graymount/Shore Crescent

		Blocks 1; 2; 6	8 x 1 bed flats; 4 x 1 bed flats; 7 x 1 bed flats	
		5 –17 Victoria Parade	8 x 2 bed flats	DA46 Carlisle/New Lodge
		Kansas Avenue Flats	18 x 2 bed flats	DA92 Cavehill
		12-24 New Lodge Road	12 x 1 bed flats	DA46 Carlisle/New Lodge
		14-24 Pinkerton Walk	10 x 1 bed flats	DA46 Carlisle/New Lodge
	Radius Housing	1-7 Avoca Street	2 x 1 bed apartments; 2 x 2 bed apartments	DA87 Oldpark Lwr
		Block 2a Edlingham St New Lodge Rd	8 x 2 bed apartments	DA46 Carlisle/New Lodge
		Kinnaird Close, Duncairn Avenue	36 x 1 bed apartments	DA85 Cliftonville
		Easton, Cliftonville Road	8 x 1 bed apartments	DA85 Cliftonville
	Choice Housing	238 – 240 Antrim Road	16 x 1 bed flats	DA85 Cliftonville
Lisburn (Belfast Region)	Clanmil	Graham Gardens	4 x 1 bed apartments; 32 x 2 bed apartments	DB71 Tonagh/Manor/Causeway
Armagh (South Region)	NIHE	Dobbins Grove: Blocks 13; 14; 15; 16 (A-F)	5 x 2 bed flats; 4 x 2 bed flats; 4 x 2 bed flats; 5 x 2 bed flats	DD33 Folly
Lurgan/Brownlow (South Region)	NIHE	Sloan Street	13 x 1 bed flats; 23 x 2 bed flats	DD48 Hill St/Ann St/Sloan St
		Dingwell Park	36 x 1 bed flats	DD50 Taghnevan
Portadown (South Region)	NIHE	Magowan House	9 x bedsits; 10 x 1 bed flats	DD92 Magown Hse
		5 – 10 Ulsterville Grove	4 x 1 bed flats; 2 x 2 bed flats	DD75 Killicomaine
		2 – 32 Parkside	8 x 1 bed flats; 8 x 2 bed flats	DD89 Parkside
Newtownards (South Region)	NIHE	Block 44 Bristol Park	6 x 1 bed flats	DB25 Westwinds
		Block 45 Bristol Park	6 x 1 bed flats	DB25 Westwinds
		Tower Court	20 x 2 bed flats	DB27 Scrabo
	Radius Housing	Mill House	16 x 2 bed apartments	DB27 Scrabo
		Millers House	1 x 1 bed apartment; 26 x 2 bed apartments	DB27 Scrabo

Bangor (South Region)	NIHE	Lisadell Place	28 x 2 bed flats	DB18 Skipperstone/Tughan Ct
		39 – 54 Drumawhey Gardens	16 x 1 bed flats	DB15 Kilcooley Bangor
Magherafelt (South Region)	NIHE	Glenburn Park	10 x 1 bed flats	DG67 Magherafelt
Waterloo Place (North Region)	NIHE	Maureen Avenue	19 x 1 bed flats	DF81 Ivy Terrace
Strabane (North Region)	NIHE	Meetinghouse Street	5 x 1 bed flats; 2 x 2 bed flats	DG84 Springhill Newtown
Limavady (North Region)	NIHE	Glenview Drive	3 x 1 bed flats; 3 x 2 bed flats	DG19 Limavady Area 3
		Kennaught Terrace	8 x 2 bed flats; 8 x 2 bed maisonettes	DG17 Limavady Area 1
		Alexander Road	24 x 1 bed flats	DG20 Limavady Area 4
		Ballyclose Street	7 x 1 bed flats	DG20 Limavady Area 4
Larne (North Region)	NIHE	Loran Parade: Blocks 7-10; 11-14; 15-18	2 x 2 bed flats; 3 x 2 bed flats; 4 x 2 bed flats	DE88 Linn Rd
		Greenway: Blocks 1; 4	3 x 1 bed flats, 1 x 2 bed flat; 3 x 1 bed flats; 1 x 1 bed flat	DE88 Linn Rd
		Block 60 Dromaine Drive;	2 x 1 bed flats; 1 x 2 bed flat	DE88 Linn Rd
		Block 118 Killyglen Road;	2 x 1 bed flats; 1 x 2 bed flat	DE88 Linn Rd
		Block 7 Green Link	2 x 1 bed flats; 1 x 2 bed flat	DE88 Linn Rd
		Garron Walk: Blocks 18 & 19	2 x 1 bed flats, 3 x 2 bed flats; 2 x 1 bed flats, 3 x 2 bed flats	DE88 Linn Rd
	Choice Housing	Mill House, Priory Gardens	12 x 1 bed flats	DE92 Larne Town
Carrickfergus (North Region)	NIHE	Adelaide Ave: Blocks 9; 11; 13	3 x 1 bed flats; 3 x 1 bed flats; 3 x 1 bed flats	DE78 Whitehead

Newtownabbey (North Region)	NIHE	Carncoole House	1 x 1 bed flat; 26 x 2 bed flats; 22 x 3 bed flats	DE50 Rathcoole
		Glencoole House	57 x 2 bed flat	DE50 Rathcoole

APPENDIX 5.5B - Local Lettings Policies under Rule 84

Area	Landlord	Stock Profile Local Lettings Policies Applied to		CLA Name	Nature of Restriction
West Belfast (Belfast Region)	NIHE	Various	12 x 1 bed flats; 14 x 2 bed bungalows; 11 x 2 bed flats; 144 x 2 bed houses; 220 x 3 bed houses; 20 x 4 bed houses	DA70 Shankill Lower/Hopewell	Choice-based Lettings for difficult-let-properties*
		Various	16 x 1 bed bungalows; 44 x 1 bed flats; 58 x 2 bed houses; 284 x 3 bed houses; 5 x 4 bed houses; 1 x 5 bed house; 1 x 6 bed house	DA66 Glencairn	
		Various	8 x 1 bed bungalows; 25 x 1 bed flats; 17 x 2 bed bungalows; 15 x 2 bed flats; 68 x 2 bed houses; 241 x 3 bed houses; 5 x 4 bed houses	DA67 Highfield	
	Apex	Mill Race, Monagh Rd	1 x 2 bed bungalow; 11 x 3 bed bungalow; 9 x 4 bed bungalow	DA35 New Barnsley	Irish Traveller group housing site
South & East Belfast (Belfast Region)	Triangle Housing	763/765 Upper Newtownards Road	6 x 1 bed apartments	DB51 Moatview Pk	Allocations to households at least 55 years of age
	Radius	Hong Ling Gardens	42 x 1 bed apartments	DB02 Cromac	Allocations to Chinese Elders

North Belfast (Belfast Region)	NIHE	Greenmount Place	12 x 1 bed flats; 2 x 2 bed houses	DA53 Duncairn (Upp & Lwr)	Choice-based Lettings for difficult-let-properties*
		Glenrosa Link	5 x 1 bed flats; 5 x 2 bed bungalows; 9 x 2 bed houses; 12 x 3 bed houses; 2 x 4 bed houses	DA53 Duncairn (Upp & Lwr)	
		Various	11 x 1 bed bungalows; 35 x 2 bed bungalows; 6 x 2 bed flats; 65 x 2 bed houses; 138 x 3 bed houses	DA87 Oldpark (Lwr)	
Lisburn (Belfast Region)	Clanmil	Redwoods, Dunmurry	30 x 1 bed flats	DB75 Seymour Hill / Conway	Allocations to households at least 50 years of age and to prioritise tenants of the NIHE's Coolmoyne and Rathmoyne tower blocks
Magherafelt (South Region)	NIHE	Various	4 x 2 bed bungalows; 3 x 2 bed houses; 7 x 3 bed houses; 1 x 4 bed houses	DG70 Culandy	Choice-based Lettings for difficult-let-properties*
		Leckagh Estate	3 x 1 bed flats; 15 x 2 bed flats; 17 x 2 bed bungalows; 2 x 3 bed bungalows; 58 x 3 bed houses; 2 x 4 bed houses	DG67 Magherafelt	

		Various	11 x 2 bed bungalows; 1 x 2 bed flat; 1 x 3 bed flat; 26 x 3 bed houses; 5 x 4 bed houses	DG71 Upperlands	
	Radius Housing	Hillhead Cottages	1 x 2 bed bungalow; 3 x 3 bed bungalows; 1 x 4 bed bungalow	DG63 Castledawson	Irish Traveller group housing site
Omagh (South Region)	NIHE	Ashfield Gardens	12 x 2 bed bungalows; 30 x 3 bed houses; 5 x 4 bed houses	DH08 Fintona	Choice-based Lettings for difficult-let-properties*
		Various	3 x 1 bed bungalows; 4 x 2 bed bungalows; 3 x 3 bed bungalows; 13 x 3 bed houses	DH02 Greencastle	
	Radius Housing	Tattykeel Cottages	8 x 4 bed bungalows	DH98 Tattykeel	Irish Traveller group housing site
Portaferry (South Region)	Ark	Cumain House, Steele Dickson Gardens	10 x 1 bed apartments; 1 x 3 bed house	DB44 Portaferry	To include mature single persons & couples
Collon Terrace (North Region)	Apex	Labre Park	8 x 3 bed houses; 2 x 4 bed houses	DG15 Belmont	Irish Traveller group housing site

Strabane (North Region)	NIHE	330 A-F Lisnafin Park	2 x 1 bed flats; 2 x 4 bed flats	DG82 Lisnafin / Bridge St / Urey	Allocations to households at least 55 years of age
Waterloo Place (North Region)	Apex	Clarendon Street	16 x 1 bed flats	DF83 Northland Road	Move-on accommodation for residents of Strand Foyer
Waterside (North Region)	NIHE	Melvin Court	13 x 2 bed flats	DG01 Melvin Court	Allocations to households at least 60 years of age

*Managers have discretion to use CBL to let difficult-to-let properties in specific areas approved by the Board of the Housing Executive. It does not have to be used in every instance and so the stock profile is indicative only. For more details, staff should contact the relevant office.

Appendix 5.6 – Rule 70A Designation Checklist

This checklist is provided as a guideline to be completed before a block is designated under Rule 70A, and when reviewing an ongoing designation.

A copy must be retained in the designation file, with a new copy completed during every review of the designation. Such reviews must occur at least every twelve months.

Evidence should be gathered from (but is not limited to):

- *H021 & Housing Prospects reports*
- *HMS User Data Matching*
- *Stats from ASB Dashboard / ASB case references / Police Reports (redacted)*

DETAILS OF PROPOSED DESIGNATION

Full Address	
Number of Units	
Total Blocks	
Blocks to be Designated <i>(provide breakdown of units for each block)</i>	
Is this a new or continuing designation? <i>(If continuing designation include date of designation and last review)</i>	
Common Landlord Area (CLA) Name and Code	
Stock Profile in Proposed Designation <i>(List both Stock Type and number e.g. 5 x 1 bed GF flats; 5 x 1 bed Upp flats)</i>	
Is the Proposed Designation in a Rural area? <i>(if so complete Rural Impact Assessment)</i>	

Under Rule 70A a designation must be approved by an Area Manager/Assistant Area Manager (or equivalent for housing associations). Before continuing, please confirm that:

- The block(s) to be designated are not a new build;
- The block(s) have shared access;
- ASB is a serious problem in the block(s) specifically rather than the area more generally.

Agreed by Area Manager/Assistant Area Manager (or housing association equivalent):

Signed:

Date:

AGE PROFILE IN BLOCK(S)

*This section and relevant evidence must be completed for each block to be designated.
(Continue on additional sheets if required)*

Block Name/Number				
Number of properties with tenant(s) aged 35 or over (Exclude owner-occupied/private tenants)				
Number of properties with tenant(s) aged under 35 (Exclude owner-occupied/private tenants)				

n.b. In order to designate a block it must be “predominately” occupied by persons aged 35 or older. This is more than a simple majority.

EVIDENCE THAT ANTISOCIAL BEHAVIOUR IS A SERIOUS PROBLEM IN THE BLOCK

***This section and relevant evidence must be completed for each block to be designated.
(Continue on additional sheets if required)***

Only information relating to the past 12 months should be recorded.

Include ASB involving owner-occupied/private rented properties in the block and complaints made against household members as well as tenants.

Block Name/Number				
Total Number of ASB complaints				
Number of ASB complaints made against persons aged under 35				
Extent and Nature of ASB Complaints made against Persons under 35 (include brief summary)				
Number of ASB complaints made against persons aged 35 or older				
Extent and Nature of ASB Complaints made against Persons under 35 (include brief summary)				

n.b. In order to designate a block ASB must be a serious problem (either due to severity or prevalence) in the block specifically rather than the area generally. The ASB complaints must be "mainly" against persons under 35 (i.e. more than a simple majority)

**HOUSING STOCK/HOUSING PROSPECTS ANALYSIS IN CLA AND WIDER GENERAL AREA
WHERE BLOCK(S) ARE LOCATED**

Provide details of non-designated equivalent stock available to applicants under 35 in the CLA <i>(List total numbers by type and bedroom e.g. 20 x 1 bed GF flats; 20 x 1 bed Upp Flats)</i>	
Provide details of non-designated equivalent stock available to applicants under 35 in the wider general area <i>(List total numbers by type and bedroom e.g. 20 x 1 bed GF flats; 20 x 1 bed Upp Flats)</i>	

WAITING LIST ANALYSIS

Current number of Applicants on the Waiting List for the CLA	
Current number of Applicants on the Waiting List for the CLA aged 35 or older <i>(use HMS filters)</i>	
Current number of Applicants on the Waiting List for the CLA aged under 35 <i>(manual calculation required)</i>	

ALLOCATIONS

Average Weeks on List for an equivalent allocation in the CLA <i>(check Housing Prospects report)</i>	
Taking into account the stock to be designated, the availability of equivalent stock in the CLA and wider general area, the profile of the Waiting List, and stock turnover are you satisfied that the range of housing options and average Waiting Times for applicants under 35 will not be lengthened by more than 3 months? <i>(n.b. If no a Designation cannot be made)</i>	

DECISION

Complete both parts of relevant section

New Designation Approved	
Housing Policy notified of new designation (appendix 5.5A template completed and emailed to HousingPolicy@nihe.gov.uk with copy retained for designation file)	
Current Designation Extended	
Date of Next Review (maximum 12 months from current date)	
Current Designation Removed	
Housing Policy notified of removal of Designation (By email to HousingPolicy@nihe.gov.uk and copy retained for designation file)	

Approved by Area Manager / Assistant Area Manager (or housing association equivalent):

Signed:

Print Name:

Date:

Register of Exceptional Cases offered to households including persons aged 35 or under

[illegible]

Register of Complaints concerning the Designation

[illegible]

APPENDIX 5.7 Letter re: Tied Accommodation

Designated Manager

2 The Office

Belfast

BT33 1LP

Your Ref:

Our Ref:

11th November 2006

Dear Designated Manager

Re: Joe Soap, 23 Any Street

The above applicant is currently being advised by their employer that they will have to leave their Tied Accommodation due to a change in their employment status.

Following the assessment of his/her housing application it has been deemed that the applicant's circumstances meet the criteria approved by the Department for Social Development to consider an allocation under Rule 84 of the Common Selection Scheme 'Losing Tied Accommodation' (Chapter 5.12 Housing Selection Scheme Guidance Manual).

You are the Landlord/District Manager responsible for allocations in the area he/she wants re-housed in, namely_____.

I am therefore requesting that you would consider him/her for the next allocation of suitable accommodation that becomes available in his/her area of choice as you are authorised to do so, under Rule 84 of the Selection Scheme.

This change will affect the Estate Project Waiting List for your District/Housing Association and the only current means of recording this change is by referring to this letter. Therefore, the letter should be retained on the new tenant's file to confirm on what basis the allocation has been made.

Yours sincerely

Insert relevant officer

APPENDIX 5.8 Choice and Points Letter

Housing Executive

Ms Sunny Test
Home Street
Home Town

BT1 1FE

Date: 10/03/2022

Dear Ms S Test

Woodside Avenue
Omagh

BT79 7BP
Phone 03448 920 900
Minicom: 1800103448920900

Application Number: XXXXX

Details of your Areas of Choice and Current Points Award

Your housing request was registered on 28/02/2022. Based on your circumstances you have been allocated points as follows:

Sharing:	20
Overcrowding:	30
Homeless:	70
Other Social Needs:	10
Total Ordinary Points	130

These points will apply to all of your areas of choice. Some Other Social Needs (OSN) points are area based and relate to a specific need to be rehoused in a particular area. Your total points may be higher in areas where these apply. If you have been awarded OSN points these will be capped at a maximum of 40 points. The following page(s) show the total points that you have been awarded for each of the areas that you are currently on the waiting list for.

It is important that you let us know of any changes in your contact details, address, or circumstances which could affect the number of points to which you are entitled. Should you require any additional information or advice about your housing request or housing prospects please contact this office.

"The Housing Selection Scheme" booklet summarises the rules used to assess the needs of applicants and to allocate accommodation. It is available from this office, or the Housing Executive website: **www.nihe.gov.uk**.

Yours sincerely,

Area Manager

Areas of Choice / Points for Application Number: xxxxxx

Page 1 of 1

Area of Choice	*Ordinary Points	**Area Points	Total Points
CLA DIVIS COMPLEX	130	10	140
CLA NEW BARNLEY	130	0	130
CLA ARDMOULIN	130	20	150
CLA STRATHROY	130	0	130
CLA BROOKMOUNT DERRY RD	130	0	130
CLA HOSPITAL RD DEVERNEY	130	0	130

*Ordinary points are points which apply across all your areas of choice

** Some Other Social Need (OSN) Points are Area points and only apply to the CLAs where you have provided evidence that you have a specific need to be rehoused in that particular area.

Please Note: Area points will not apply where you have already been awarded the maximum of 40 Other Social Needs Points.

APPENDIX 5.9 Sample Offer Letter

Housing Executive

Contact address:

Office address:

Our Ref:

Date:

Dear

Tenancy Offer Details

The Housing Executive is pleased to offer you (on the terms and conditions set out in the Housing Executive's general conditions of tenancy, 1989 edition) the tenancy of a «Beds» bedroom «PropType» in the «OffPrAre» estate at:

«PropAddr1»	Property	£	
	Charges		
«PropAddr2»	Rent	«PropChgVal1»	«FPropChgVa1»
«PropAddr3»	Rates	«PropChgVal2»	«FPropChgVa2»
«PropAddr4»	Heating charge	«OffHtgCh»	
«PropPost»	Other		
	Total payment	«TotPay»	«TotFutPay»

with an expected commencement date of «ExpComm». This date will be confirmed prior to signing for the tenancy.

Under the rules of the Housing Selection Scheme, you are entitled to a maximum of two reasonable offers. This is your second and **FINAL OFFER**. If you refuse or do not respond to this offer, you will not receive any further offers for a period of one year.

If you are a person owed the Full Housing Duty under the homelessness legislation, refusal or non-response to this offer will result in that duty having come to an end and the removal of all related points awarded to you by virtue of that duty coming to an end. In addition, any other duties owed to you, including the provision of temporary accommodation and furniture storage, will also come to an end.

You MUST contact me at the above office before noon on the «OffRepDte» to advise of your decision. Applicants are also encouraged to arrange a viewing of the property before they decide to accept or decline an offer of accommodation.

Sign-Up of new tenancy - ID Requirements

In order to sign for a tenancy you are required to provide one form of primary identification or two forms of secondary identification. These are:

Primary Identification (1 required)

- Current UK driving license

- Current passport or National Identity Card
- Translink Senior Smartpass
- Electoral Identity Card

Secondary Identification (2 required)

- Benefit payment book
- Birth Certificate
- Credit/Bank Cards
- Utility Bill (previous quarter)
- Medical Card
- Recent bank statement/wage slip
- Marriage certificate

In addition to this, we will also take a photograph of all tenant(s) at sign-up as part of the Housing Executive's Tenancy Fraud Strategy. The photograph will be used exclusively for the purpose of tenant verification, reducing the opportunity for identity impersonation and unlawful subletting. It is a mandatory condition of offer acceptance.

Sign Up of new tenancy - Advance Payment for rent/rates

When you are being signed up for your tenancy, you will be asked to make an advance payment for your rent/rates depending on your circumstances. Your Patch Manager/Housing Advisor can provide you with more details about this and a leaflet '*Making a payment of rent/rates in advance*' is included.

Help with housing costs

If you are on a low income you may get help with paying your rent and rates. Depending on your age that may be Housing Benefit or Universal Credit. If you are of working age (over 16 but below State Pension age) please take into account **Social Sector Size Criteria** (SSSC) - also known as 'bedroom tax' - when deciding to accept the offer of a Housing Executive or housing association (social sector) property.

It is important that you read '*Getting help with your housing costs*' leaflet which is attached to this letter. For more information please speak to your Patch Manager / Housing Advisor.

Types of Tenancy and Transfers:

If you are not already a secure tenant of the Housing Executive or a registered Housing Association, this offer is in respect of an Introductory Tenancy which will last for a period of 12 months. Providing the tenancy is not brought to an end before that time, it will become a secure tenancy unless possession proceedings have commenced. You may not be eligible to apply for a transfer until 2 years after your tenancy commences.

This is a Conditional Offer. If any of the conditions, set out below, are not met or breached, the Housing Executive may seek to withdraw this offer or seek to recover the property if you are already living in it.

1. The information supplied by you in connection with this offer being true, correct and complete.
2. That you have notified the Housing Executive of any material change in your circumstances or the information supplied by you prior to accepting this offer.
3. That the premises will be vacant and available for occupation by you on the date specified. The Housing Executive will make every reasonable effort to ensure the

property is available for you on that date, but does not accept responsibility should unforeseen circumstances arise which prevents this happening.

4. If you are currently a Housing Executive/ Housing Association Tenant you are required under the terms of your tenancy to provide written notice of the termination of your existing tenancy to your landlord. You will be required to give vacant possession i.e. you must return the keys and not leave anyone living in the property.
5. Acceptance of the Housing Executive's general conditions of tenancy (1989 edition), a copy will be provided to you prior to signing for the premises.
6. That you comply with the Housing Executive's ID requirements (both photographic and otherwise).

Withdrawal of Offer for other reasons

In addition, under Rule 58A of the Housing Selection Scheme the offer may be withdrawn in a number of limited situations at any time before the tenancy agreement is entered into. More information on this can be found at www.nihe.gov.uk.

What to do if you think that this Offer is not reasonable

If you do not think that this offer is reasonable, you should contact me using the details above to discuss the reasons for your refusal.

If you are owed the Full Housing Duty under homelessness legislation

In addition, if you are a person who is owed the full housing duty then you have a right to request a review if you disagree that the accommodation in this offer is suitable.

If you wish to request a review you, or someone acting on your behalf, must contact the Housing Executive's Regional Review Officer using the following contact details:

You have 40 days from the date of this letter to do so. While there may be circumstances in which the Housing Executive will agree to extend this period of time, it is important to understand that this is not automatic and will only be extended if the Housing Executive considers that there is good reason for doing so.

If the Housing Executive has provided you with temporary accommodation it may consider that it is appropriate to continue to provide this accommodation pending the outcome of the review, even though it is under no duty to do so.

If you are not owed the Full Housing Duty under homelessness legislation

If you are a person who is not owed the full duty you can make a complaint if you consider that the offer is not reasonable. You, or someone acting on your behalf, may make representation to the Area Manager using the contact details provided at the top of this letter.

You have 40 days from the date of this letter to do so. While there may be circumstances in which the Housing Executive will agree to extend this period of time, it is important to understand that this is not automatic and will only be extended if the Housing Executive considers that there is good reason for doing so.

Right to Buy:

- a) If this property is either a single storey property or ground floor dwelling (other than a flat) with no more than two bedrooms, then it will not be possible to sell it to you under the Housing Executive's Statutory House Sales Scheme.
- b) Please note that the right to buy only arises after you have been a secure tenant of the Housing Executive or other relevant body for a period of not less than five years. Previous secure tenancy periods may count in calculating the required five year qualifying period. You cannot apply to buy during an introductory tenancy year, even if you were previously a secure tenant. However, upon completion of the introductory year, it will count towards the eligibility criteria.
- c) If this property has been built, acquired or improved by the Housing Executive in the current year or in the previous ten financial years, your right to discounts could be greatly reduced if you apply to purchase.

If you require clarification on any of the above matters, before entering into the tenancy, please contact me at the address and telephone number listed at the top of this letter before signing for the property.

Yours sincerely,

Lettings Manager

Getting Help with your Housing Costs Leaflet

Depending on your age you may get help with your housing costs through Housing Benefit or Universal Credit. The following is general information about both of these benefits for those living in Northern Ireland only.

Housing Benefit

You may qualify for Housing Benefit if you:

- live in Northern Ireland; **and**
- **have reached State pension age**
- are on a low income (including earnings); **or**
- claim benefits; **and**
- pay rent and / or rates.

Unless you receive Guarantee Pension Credit you cannot qualify for Housing Benefit if the value of you, or your partner's (jointly), savings, capital and investment is greater than £16,000. You may still qualify for rate relief.

It can also be used to meet some service charges.

The rates element of your charges will be included in your Housing Benefit assessment.

Are you claiming Pension Credit?

The Pension Service will send you a HB1 form to complete. You can return it to the Pension Service or directly to the Housing Executive.

You can also make a claim for Housing Benefit at www.nihe.gov.uk

Please note: if you are entitled to Housing Benefit, the date we receive your application may affect the date your award will begin.

Universal Credit

This is a payment for people over 18 but under State Pension age who are on a low income or out of work. It includes support for the **cost of housing** (rent only), children and childcare, and financial support for people with disabilities, carers and people too ill to work.

If you have to make a claim for Universal Credit it is **vital** you have:

- set up a suitable bank / building society account;
- an email address; and
- valid ID (this may include a passport, driving license or household bill).

Help with Rates

If you claim Universal Credit and also need help with paying your Rates charge, you will need to also make a claim for Rate Rebate. You can do this online at

<https://www.nidirect.gov.uk/services/create-or-log-rate-rebate-account>

Additional Important Information

Social Sector Size Criteria (sometimes called 'Bedroom Tax')

Social Sector Size Criteria (SSSC) affects those Housing Executive and registered housing association (social sector) tenants of working age (over 16 but below State Pension age) receiving help to pay their rent/rates who are considered to be 'under-occupying' their homes according to the benefit bedroom criteria.

If you are considered to be under-occupying your home, the rent used to calculate the help you're entitled to will be reduced by:

- 14% if under-occupying by 1-bedroom; or
- 25% if under-occupying by 2-bedrooms or more.

SSSC allows one bedroom each for:

- Every adult couple
- Anyone else aged 16 or over
- Any two children of the same sex aged under 16
- Any two children aged under 10
- Any other child (other than a foster child or child whose main home is elsewhere)
- Children or adult couple who cannot share because of a disability or medical condition
- Carer(s) providing overnight care
- Fostering (provided you have been accepted as a foster carer or are currently or have fostered a child within the last 12 months)
- A room may also be allowed where there has been a recent bereavement within the household.

If I am affected by SSSC is there help available?

If help with your housing costs (rent/rates) is reduced because of SSSC, a Welfare Supplementary Payment (WSP) will be made to make up the shortfall. You do not need to apply as this will be automatically paid by the Department for Communities.

Independent advice | Information

You can contact:

- Welfare Changes Helpline on 0800 915 4604
- (operated by the Welfare Reform Advice Services Consortium made up of Advice NI, Citizen's Advice and the Law Centre NI)
-
- Housing Rights Service: 028 9024 5640
- Advice NI: www.adviceni.net
- Information is also available on nidirect (the government's website) nidirect.gov.uk/welfare-changes

Contact the Housing Executive

- Telephone: 03448 920 902 (New Generation Text: 18001 03448 920 902)
- Website: nihe.gov.uk and click the link for Housing Benefit
- In Person: Call into your local Housing Executive office

How to apply for Housing Benefit or Universal Credit

If you know which benefit you should apply for then:

Housing Benefit: is easy to apply for either online at nihe.gov.uk or printing and posting a form or calling into your local Housing Executive office and asking for a paper form.

Universal Credit: can only be claimed online at nidirect.gov.uk/universal-credit. There you will find more information on, and the application for, Universal Credit.

Making a Payment of Rent/Rates in Advance Leaflet

Your Housing Offer letter states you will be asked to pay the rent/rates charge for your property in advance. If you decide not to, it will not affect the tenancy offer we have made.

Why should I make an 'advance payment'?

Paying in advance means your rent/rates account will be in credit from the start of your tenancy. This means if you have a problem paying your rent/rates in the future you will have a safety net.

How does my current financial situation affect the advance payment?

In-work

- If you work and do not get any benefit payments we would ask you to pay the full weekly, fortnightly or monthly rent/rates amount charged
- If you work and get some benefit payments we would ask you to make a partial advance payment of the weekly, fortnightly or monthly rent/rates amount charged.

Not in work

If your only income is from benefit payments we do not expect you to make an advance payment. However, if you would like to make a full or part payment of one week's rent/rates before you move in we can discuss what amount you feel you could afford to pay.

How much is the advance payment?

The amount you pay in advance will be based on your expected payment pattern and your current financial situation.

- If you work and are paid weekly your advance payment will be one week's rent/rates.
- If you work and are paid fortnightly your advance payment will be two week's rent/rates.
- If you work and are paid monthly your advance payment will be one month's rent/rates.
- If you get help to pay your rent/rates through Housing Benefit or Universal Credit they have a payment timetable which we work with.

Direct Debit is our preferred method to receive payment. It is also easy for you to set up, and is convenient and secure. If you have a bank account we can complete a direct debit form at sign-up. Other payment methods include:

- PayPoint – outlets available across Northern Ireland
- Allpay Payment App
- Online – nihe.gov.uk/paying_on-line
- Text pay - register at allpayments.net/textpay
- Callpay - call your Patch Manager/Income Collection Officer for call assistance
- AllPay 24/7 telephone service - 0844 5578321
- Standing order - contact your local office for a form.

What do I do next?

Speak to your Patch Manager/Income Collection Officer about:

- paying an amount in advance to put your rent/rates account in credit – a safety net;
- how you will pay the rent and rates on your home: weekly, fortnightly or monthly;
- setting up a direct debit if you have to pay rent and rates in full or in part;
- setting up a bank account if you need to; and
- about making your money work harder for you.

APPENDIX 5.10 Regional Review Officer Details

Region	Telephone No.	Postal address of Regional Review Officer	Email address
Belfast	03448 920 900	NIHE The Housing Centre 2 Adelaide Street Belfast BT2 8PB	belfastregion@nihe.gov.uk
North	03448 920 900	NIHE Twickenham House 59 Mount Street Ballymena Co. Antrim BT43 6BP	North.Reviews@nihe.gov.uk
South	03448 920 900	NIHE Strangford House 28 Court Street Newtownards Co. Down BT23 7NX	South.Reviews@nihe.gov.uk

APPENDIX 5.11 Example Withdrawal of Offer Letter

Date:

App Ref No: xxxxxx

Dear

I regret to inform you that the offer of [address of property] has been withdrawn because of the following reason:

Information has been received by the landlord which indicates that under the rules of the Housing Selection Scheme the offer of accommodation is no longer considered reasonable.

If you need clarification or specific details as to the reason(s) why the offer has been withdrawn, please do not hesitate to contact me.

If you are not satisfied with this decision or how the service was provided, you can make a complaint through the complaints procedure. You have 7 calendar days from the date of this letter to contact the office using the details above, setting out your reasons for challenging this decision.

Yours sincerely,

Designated Officer

APPENDIX 5.12 Narratives applied to system generated Withdrawal of Offer Letter

Descriptor	Narrative
Offer Conditions not met	<p>One or more of the conditions stipulated within the offer letter have not been met:</p> <ol style="list-style-type: none"> 1. The Information provided being insufficient to support the offer of accommodation. 2. Information supplied by you has resulted in the offer no longer being suitable. 3. The property is no longer available due to unforeseen circumstances. 4. The Tenancy conditions not being met – vacant possession cannot be achieved. 5. You failing to accept the NIHE conditions of tenancy. 6. Your failure to fulfill the necessary ID requirement.
Offered in Error	There has been a material error of fact or law made by the landlord.
Offer No Longer Reasonable	Information has been received by the Landlord and is satisfied that under the rules of the Housing Selection Scheme the offer of accommodation is no longer considered reasonable.
Unable to Occupy	You are unable to take up occupancy of the property and commence the tenancy within a reasonable period of time.
Personal Safety Risk	There is likely to be a significant risk to your personal safety or the personal safety of a member of your household or another household within the locality of the property.
Unacceptable Behaviour	Information has been received by the Landlord which and is satisfied that you or a member of your household are guilty of unacceptable behavior which is serious enough to make you unsuitable to be a tenant of the Housing Executive by reason of that behaviour.
Change in Immigration Status	There has been a change in your immigration status which has resulted in you no longer being eligible for an offer of accommodation.
Incorrect Eligibility Decision	An error has been made in treating you as a person who is eligible for an offer of accommodation.

APPENDIX 5.13 Deferral Letter

Date:

Application Number: XXXXXX

Dear

This letter is to inform you that, under the Rules of the Housing Selection Scheme, as you have either refused or not replied to your final reasonable offer of accommodation, your application for social housing is now deferred for a period of one year during which time you will receive no further offers of accommodation.

If you are a person who is owed the Full Housing Duty

The refusal or non-response to the final offer of accommodation results in the removal of all related points awarded to you by virtue of the duty coming to an end. Any duties owed to you under the Housing (NI) Order 1988, including the provision of temporary accommodation and furniture storage, also cease. As advised in your final offer letter, you have a right to request a review of the suitability of that offer if you consider that the accommodation offered to you is not suitable. The details of how to request a review were set out in the offer letter

If you are a person who is not owed the Full Housing Duty

As advised in your final offer letter, you can make a complaint if you consider that the accommodation offered to you is not suitable. The details of how to make a complaint were set out in the offer letter.

If your circumstances change before the end of the deferral period please get in touch with us at the above address.

Yours sincerely,

Area Manager

APPENDIX 5.14 Decision Letter to Restrict an Applicant's Areas of Choice under Rule 61 at Assessment

[<Insert Applicant Name>]

[<Insert Applicant Address>]

Date: Ref No:

Re: Decision to Restrict Areas of Choice

Dear

As an Applicant with an award of Intimidation points under the rules of the Housing Selection Scheme, the [**insert Housing Executive or relevant Housing Association**] may restrict your areas of choice where there are reasonable grounds to believe that you or a member of your household may be at significant risk of attack in any wider areas chosen by you.

Having considered the information available to me, I have concluded that it would not be appropriate to offer you an allocation of accommodation within [**<name area(s)>**] as you or a member of your household may be at significant risk of attack within this area. In coming to that decision the following are relevant factors:

[<Explain reasons for the decision to apply Rule 61>]

If you wish to provide further information that would assist us in reviewing this decision or if you do not agree with this decision and wish to challenge it under our informal complaints procedure in the first instance, I would ask that you do so within the next 5 working days. In light of this decision I would ask that you contact your Housing Advisor [**<name of advisor>**] to discuss your areas of choice in more detail.

Yours sincerely

Designated Officer

APPENDIX 5.15 Decision Letter for applying Rule 61 at Matching Stage, prior to making an offer of accommodation

[<Insert Applicant Name>]

[<Insert Applicant Address>]

Date:

Ref No:

Re: Decision to Restrict Areas of Choice

Dear

I am writing to you to advise you that the [**<insert Housing Executive or relevant Housing Association>**] is considering you for an allocation of accommodation at [**<address of property>**]. As you have been awarded Intimidation Points under the Housing Selection Scheme, the [**<insert Housing Executive or relevant Housing Association>**] may restrict your Areas of Choice where there are reasonable grounds to believe that you, or a member of your household, may be at significant risk of attack in any wider areas chosen by you.

Having considered the information available to us I have concluded that it would not be appropriate to offer you an allocation of accommodation within [**<name area(s)>**] as you or a member of your household may be at significant risk of attack within this area. In coming to that decision the following are relevant factors:

[<Explain reasons for the decision to apply Rule 61>]

If you wish to provide us with further information that would assist us in reviewing this decision or if you do not agree with this decision and wish to challenge it under our informal complaints procedure in the first instance, I would ask that you do so within the next 5 working days. Otherwise we will proceed with the allocation of this property to the next relevant highest pointed Applicant on the Waiting List.

In light of this decision we would ask that you contact your Housing Advisor [**<name of advisor>**] to discuss your Areas of Choice in more detail.

Yours sincerely

Designated Officer