

06 June 2024

Our Ref: FOI 399

Request

We received your request on 14 May 2024 for the following information:

I would like a copy of the policy & criteria, related to the designation of properties to over 35-year-olds.

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

Our response

Please find attached the information requested. This is an extract from the Housing Selection Scheme Manual setting out the criteria under Rule 70A which covers the designation of properties for over 35s.

This concludes our response.

Extract from the Housing Selection Scheme Manual setting out the criteria under Rule 70A which covers the designation of properties for over 35s

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.
