North Yorkshire Home Choice
Choice Based Lettings Partnership

Common Allocation Policy

Published November 2025

The NYHC housing allocation policy applies to social housing allocations within the boundaries of former district and borough council housing partner areas.
More Information on social housing in North Yorkshire can be found on our website
www.northyorkshirehomechoice.org.uk

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SECTION 1: INTRODUCTION AND BACKGROUND

1.1 The North Yorkshire sub-regional Choice Based Lettings Partnership

This document sets out the housing allocation policy for the North Yorkshire Home Choice (Choice Based Lettings) Partnership (NYHC). The partnership comprises:

- The North Yorkshire Council
- Broadacres Housing Association (Large Scale Voluntary Transfer Landlord for Hambleton)
- Beyond Housing (Large Scale Voluntary Transfer Landlord for Scarborough)
- Yorkshire Housing Group (Large Scale Voluntary Transfer Landlord for Ryedale and Craven)

Partner contact details can be found on our website:
www.northyorkshirehomechoice.org.uk

The Council and its partner landlords (in accordance with the North Yorkshire Home Choice partnership agreement) will delegate specific Officers authority to determine applications in accordance with the operation of the North Yorkshire Home Choice Scheme and Allocation Policy. Details of these officers will be made available to applicants throughout the process and upon request.

Furthermore, and unless it is specifically expressed, any decisions taken in the application of this policy will be made by such members of staff from the Council and our partners and can be subject to review by the applicant.

1.2 The Allocations Scheme

North Yorkshire is an area of high demand for social housing. There is a scarcity of affordable housing and a high number of people who wish to be housed. There is also a substantial level of homelessness across the authority, so even if an applicant is accepted onto the Housing Register, this does not guarantee that they will ever be made an offer of accommodation.

The allocations scheme is the housing policy we use to prioritise households in housing need for an offer of social housing and seeks to make best use of the number of properties owned by the council and partner Registered Providers (commonly known as Housing Associations) via nomination rights, that become available to let each year.

The NYHC partnership operates a Choice Based Lettings (CBL) scheme which is a method used in the allocation of social housing. North Yorkshire Council and Housing Associations advertise available properties to applicants who have an active application on the housing register. Applicants can express an interest (referred to as bidding) on properties for which they qualify.

Housing Associations operating in the partnership area will be encouraged to advertise their vacant properties through NYHC in line with their nomination agreements. Should any Housing Association advertise all their vacant properties in accordance with the scheme, they will be viewed as a participating landlord, details of which can be found on the NYHC website.

This scheme will be applied in the majority of cases when considering applications for social housing, but each application will be considered on its individual merits and may, at times, allow exceptions to the general scheme.

We work within the legal and statutory framework governing the allocation of social housing. The policy also considers local need and demand as well as local housing conditions.

1.3 Aims and Objectives

- To meet the legal requirements for the allocation of social housing as set out in Part 6 of the Housing Act 1996, the Homelessness Act 2002 and the Localism Act 2011.
- To allocate accommodation to households in greatest housing need.
- To meet the council's responsibilities to homeless households in the authority area, to prevent homelessness and to reduce placement in temporary accommodation.
- To make effective use of available social housing stock and provide greater choice by extending mobility across the local authority area.
- To ensure that empty properties are let quickly and efficiently to minimise rent loss.
- To allow applicants to express choice in selecting their accommodation wherever possible.
- To advertise available properties giving applicants the opportunity to make informed and realistic choices about their housing options.
- To ensure accessibility to all those in housing need.
- To encourage and support, balanced, sustainable communities where people choose to live.
- To make the housing process accessible, transparent, fair, and easy to use.

1.4 Monitoring and Review

The partnership will monitor the CBL scheme to ensure that it is meeting its aims and objectives and publish quarterly data on the number of applicants on the housing register and the number of properties let.

The allocation scheme is subject to periodic review to ensure that the allocation of social housing continues to be fair and objective, whilst meeting statutory requirements and addressing local need and priorities. This will be monitored by the NYHC Equalities Monitoring Group.

1.5 Statement on Choice

In framing this policy, the partnership will ensure that reasonable preference is given to those people in most urgent housing need in accordance with s.166A(3) Housing Act 1996. The scheme will also provide applicants the opportunity to express their choice on the type and location of their preferred accommodation.

Applicants will be considered for all social housing vacancies for which they are eligible. Advice and assistance will be given to applicants to allow them to make informed and realistic choices about the type of accommodation that best meets their housing needs and aspirations.

1.6 The Legal Framework

In framing this allocations scheme, we comply with the relevant legislation, including, but not exclusively: the Housing Act 1996, the Homelessness Act 2002, the Data Protection Act 2018, the Human Rights Act 1998, the Equality Act 2010, and the Localism Act 2011. We also take due account of case law, best practice, government regulations and the relevant statutory codes of guidance.

In preparing this allocation scheme we have had regard to the current homelessness and tenancy strategies, and it is considered that the scheme is compatible with local and sub-regional housing and tenancy, housing, and homelessness strategies.

1.7 Information Sharing, Confidentiality and Data Protection

All information received relating to an applicant's housing application will be treated as confidential in accordance with the Data Protection Act 2018 and held securely. Information will only be shared when consent has been given as part of the application process, however consent will not be required where there is a public safety interest, or for the purpose of the prevention or detection of crime and fraud.

A privacy notice that explains how and why we process your data can be found on our website: www.northyorkshirehomechoice.org.uk

By making an application, the applicant agrees to information sharing with other statutory and voluntary agencies. This may include other housing providers, health professionals, support providers, police, probation, Social Services, and private landlords, as deemed necessary, in order to assess the application and/or to provide the applicant with advice and assistance regarding their rehousing. Your data will only be shared in circumstances where it is lawful under UK data protection law, and this will be determined on a case-by-case basis.

Applicants have a right to see the information held about them and receive a copy of information held on a computer, or on a paper file. This is called a "Subject Access Request". Personal information will be handled in accordance with the Data Protection Act 2018 and will be subject to the appropriate confidentiality.

1.8 Information Provision

We will provide a free copy of the allocations scheme to any member of the public on request, and it is also available to download from our website: www.northyorkshirehomechoice.org.uk..

1.9 Equality and Diversity

The scheme will be accessible and sensitive to the diverse needs of individuals and will take measures to ensure that people with disabilities have equal access to housing opportunities.

The scheme is committed to ensuring equal access in its allocation of housing. No one will be treated any less favourably than anyone else because of age, disability, gender reassignment, marital status and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

The partnership will monitor impact of policy to ensure equal opportunity for all and strive to maximise information and support to all applicants.

1.10 Local Lettings Policies.

The council may operate local lettings policies to enhance the sustainability of defined communities. This means that allocations may be made to particular customer groups outside the reasonable preference categories.

Local lettings policies will be evidence-based and be approved by the NYHC Partnership for particular properties in defined geographic areas following consultation.

Local lettings policies will be time limited and will be monitored to ensure that they do not discriminate directly or indirectly on any equality ground and that overall, preference is still given to applicants in the reasonable preference groups.

Details of local lettings policies are on our website: www.northyorkshirehomechoice.org.uk

1.11 Sensitive Lets

Although most of our properties will be advertised without any restrictions, there may be occasions where a property, or groups of properties within a specific area, are required to be sensitively let. This will usually occur where there have been previous management issues and the targeted allocation of the property could reduce such issues in future.

Sensitive lets are not, therefore, necessarily based on housing need and priority on the Housing Register. Examples of when a sensitive let may be introduced are

- The previous tenant has caused significant neighbour nuisance, which has taken significant time and resources to resolve
- Where there has been significant drug and/or alcohol related nuisance
- Where there has been significant noise nuisance

This list is not exhaustive.

SECTION 2: THE HOUSING REGISTER

Only applicants who are eligible for housing and who qualify can join the Housing Register. Applicant's already on the Housing Register who are found to be no longer eligible or to qualify will have their application cancelled, and they will be notified accordingly.

2.1 Who is Not Eligible to Join the Housing Register – Persons from Abroad

Persons may not be allocated accommodation if they are a person from abroad who is ineligible for an allocation under s.160ZA of the 1996 Act.

- A person subject to immigration control unless they come within a class prescribed in regulations made by the Secretary of State (Section 160ZA(2)).
- A person from abroad other than a person subject to immigration control who comes within a class of persons prescribed by the Secretary of State (s160ZA(4)).
- A person subject to immigration control that would make them ineligible for an allocation of housing and/or where the Secretary of State may by regulations prescribe other classes of persons from abroad ineligible for an allocation of housing.

In addition, applicants who do not have recourse to public funds or who cannot prove they have recourse to public funds or those not habitually resident will not qualify for the Housing Register.

Eligibility will be confirmed at the point of application, during the housing process and at the point of offer. Persons who can produce evidence of an in-time application to extend their leave to remain or an in-time appeal against a refusal to extend their leave to remain will be treated as though they continue to have leave to remain.

2.2 Qualification

The Housing Act 1996 Section 160ZA states that social housing may only be offered to a qualifying person, and the local authority has the power to determine what classes of person are or are not qualified to be allocated social housing.

2.2.1 Who Does not Qualify to Join the Housing register.

We determine the following persons and members of their household, including

current tenants as non-qualifying for the housing register:

- Applicants aged 16 and 17 years unless they meet the following criteria:

  - they are a looked after child under section 20 Children Act 1989 or a care leaver with a relevant support package and Trustee and are ready for independent living as agreed with Social Services and confirmed by the Local Authority Housing department, OR
  - they must have an appropriate support package in the area they wish to live to enable them to sustain their residency and they must have an identified trustee who can hold any tenancy on their behalf until the age of 18. Trustees can be a person or an organization, and will not have a financial liability
- Persons that are guilty of unacceptable behaviour that makes them an unsuitable tenant. See Appendix 2 for further details.
- Persons who have current rent arrears either to a social housing provider or private landlord.
- Persons who are currently in breach of their tenancy conditions and their landlord has started formal action.
- Persons who have outstanding housing related debt where no acceptable repayment arrangement has been made.
- Tenants on an introductory/starter/demoted tenancy.
- Those who have no local connection to the partnership area.
- Applicants subject to Multi Agency Public Protection Arrangements (MAPPA) where their risk is deemed too high. Applicants who are accepted under MAPPA may be restricted to a specific area or subject to a direct offer of a property which will be subject to approval by the necessary agencies.
- Those who own their own home or reside with a household member who is a homeowner, whether they reside in it or not and have no housing need.
- Those who have a combined household income and/or savings and/or capital of £60,000 or above which would enable them to meet their own housing need.
- Those who have deliberately worsened their housing circumstances with the intention of increasing their housing priority.
- Those who knowingly or recklessly give false information and/or knowingly withhold information.
- Those who refuse two suitable property offers within a 12-month period, or a single direct offer of accommodation.
- Disqualified applicants or members of their household during the period of disqualification.
- Households within the first year of a social housing tenancy, including mutual exchange unless there is a key change in circumstances which makes the current property unsuitable to remain in and the move is assessed, supported, and approved by a senior officer.
- Applicants assessed as needing support to hold and maintain a tenancy and there is no appropriate support in place.

In certain circumstances the qualification criteria may not apply, these include:

- Homeless applicants owed a main duty under Part 7 of the Housing Act 1996, or with an accepted relief duty who are in priority need.
- Accepted households under MAPPA.
- Applicants who have come through the National Witness Protection Scheme.
- Victims of Domestic Abuse and Care leavers regulations 2(3)(a) and 2(3)(b) The Allocation of Housing (Qualification Criteria for Victims of Domestic Abuse and Care Leavers) (England) Regulations 2025

These cases will be individually assessed and, where supported and approved by a Senior Officer, may be considered as qualifying for the housing register. Restrictions may be applied on the property type and/or area of choice an accepted applicant can bid, or they may receive a single direct offer of accommodation.

2.3 Local Connection.

Only applicants with a local connection to the North Yorkshire partnership area will qualify to join the Housing Register. A local connection is established by way of one or more of the following:

- Current residence in the partnership area for at least 6 out of the last 12 months.
- Current or previous residence in the partnership area for at least 3 out of the last 5 years.
- Employment in the partnership area on either a full or part time basis for a minimum of six months. The main place of work must be in the partnership area. Casual, seasonal, and voluntary work is not included. An employment contract must remain valid at the point of offer.
- The applicant has close family who currently lives in the partnership area and has been resident for at least the last 5 years. (Defined as: mother; father; adult son; adult daughter; adult brother; adult sister
- The applicant has an essential need to move and live closely to another person, who currently lives in the partnership area, and who has been resident for the last 5 years, to provide or receive essential daily care or support. Applicants accepted on this basis may be subject to localised bid restrictions, where the person they are moving to be near resides.
- Care leavers as defined by the Children's Act 1989

Residence in hospital, prison, residential schools or other placements by a health authority or social services authority, student accommodation (where it is not the applicant's principal home) and Approved Premises under licence do not gain a local connection. These applicants will be assessed on their last place of permanent residence to determine qualification. This list is not exhaustive but represents the most common examples.

2.3.1 Exceptions to Local Connection.

Where an applicant meets one of the following criteria they may be accepted as having a local connection.

- North Yorkshire Council has accepted either a relief duty (reason to believe homeless, eligible and in priority need) or main housing duty under the Housing Act 1996 Part 7 and the applicant is not to be referred to another authority.
- Households accepted under the National Witness Protection Scheme.
- Social housing tenants in England that need to move to take up an offer of employment, under the Right to Move Regulations 2015.
- Members of the armed forces and reserve forces who meet the following criteria:
  a) Those who are currently serving or who have served in the Regular Armed Forces
  b) Bereaved spouses or civil partners of those serving in the Regular Forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease, to be entitled to reside in Ministry of Defence accommodation following the death of their Service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.
  c) Serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
  d) Divorced or separated spouses or civil partners of Service personnel who need to move out of accommodation provided by the Ministry of Defence

- The Allocation of Housing (qualification criteria for victims of domestic abuse and care leavers)(England) Regulations 2025
  - Regulation 2(3)(a) a person who is or has been a victim of domestic abuse and who needs to move for reasons connected with that abuse (including from accommodation initially occupied on a temporary basis).
  - Regulation 2(3)(b) Care Leavers - to eligible, relevant or former relevant children under 25, that being care leavers aged 16-24 who have spent a period of, or periods amounting to, at least 13 weeks in care in England or Wales since their 14th birthday, of which at least one day was since reaching the age of 16.

2.4 Homeowners.

Social housing is a scarce resource. Applicants who own a property or reside with a household member who is a homeowner (either freehold, leasehold, under mortgage or shared ownership) whether they reside in it or not will not normally qualify for the housing register as they are regarded as having sufficient assets to resolve their housing situation through the housing market. This includes property in the UK and abroad.

Property can include narrow boats, caravans, and mobile homes (both residential and holiday sites) as well as other dwellings that are suitable for occupation.

Statutory homeless applicants accepted under Part 7 of the Housing Act 1996, or those with an accepted relief duty who are in priority need may be considered as an exception, as it would not be in our best interests to delay rehousing these applicants due to the significant costs in providing temporary accommodation.

We recognise that there may be other exceptional circumstances where an applicant, such as an elderly person or person with a severe disability, cannot either stay in or adapt their own home and need to move into sheltered or specialist accommodation. Each case will be assessed on its merits and where there would otherwise be hardship because of insufficient resources to meet their housing needs elsewhere, they will be allowed onto the housing register.

2.5 Sufficient Financial Resources

Applicants with a combined annual household income and/or savings and/or assets of £60,000 or above will not normally qualify to join the housing register as they have sufficient resources to resolve their own housing needs.

This excludes any lump sum received by a member of the Armed Forces as compensation for an injury or disability sustained on active duty.

2.6 False Information/Deliberately Withholding Information

Under Section 171 of the Housing Act 1996, it is a criminal offence for anyone applying for housing from a housing authority to give false information knowingly or recklessly, or knowingly withhold information which is relevant to their application for housing.

Anyone found guilty of such an offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale, and any tenancy obtained because of false or misleading information can be terminated.

If an applicant, or a person acting on his or her behalf, has given false information or withheld information it could:

- Affect an applicant's eligibility to join the Housing Register;
- If appropriate, result in the applicant not being given preference at all.
- If appropriate, be taken into account in prioritising applicants who have Reasonable Preference

Where there is an allegation or suspicion that a person has given false information, or has withheld information, the application will be suspended pending the outcome of an investigation. If it has been established that an applicant has provided false information the person will be deemed not to be a qualifying person.

Applicants will not qualify to join the Housing Register for a minimum of 12 months from the date of the cancellation and will have a right to review.

Applicants can make a fresh application at the end of the 12-month period. Their application will be assessed on the current information provided and will be from the date that the new application is made.

2.7 Deliberate Worsening of Circumstances

Whilst this policy is intended to make sure that those with urgent housing needs are given priority, applicants who deliberately worsen their circumstances in order to gain greater priority on the housing register will not be rewarded.

In circumstances where an applicant gives up suitable accommodation or acts in a way that deliberately worsens their circumstances, their application will be cancelled and they will not qualify to join the Housing Register for a minimum period of 12 months from the date of cancellation. Applicants will have a right of review.

Applicants can make a fresh application at the end of the 12-month period. Their application will be assessed on the current information provided and will be from the date that the new application is made.

2.8 Refusal of Two Offers

We acknowledge that applicants may not be able to make a firm decision on an offer of a property until such time as the property has been viewed. However, there is a high demand for social housing and applicants should think carefully about the type and location of properties that they wish to be considered for before placing a bid, and applicants should only place bids on properties that they intend to move to. Unreasonable refusals delay other applicants in housing need moving into a property, incur costs in lost staff time and can result in a loss of rental income.

If an applicant refuses two suitable offers of accommodation made in writing within a 12-month period, their application will be cancelled, and they will not qualify to join the Housing Register for a minimum period of 12 months from the date of cancellation. Applicants will have a right of review.

Applicants can make a fresh application at the end of the 12-month period. Their application will be assessed on the current information provided and will be from the date that the new application is made.

SECTION 3: HOW TO APPLY

Applicants must complete a Housing Register application form and supply additional information to support their application. Before applying for housing, applicants are advised to consider other housing options that may help improve their housing situation. Further information is available on the NYHC website.

Applicants are encouraged to apply to join the Housing Register via our website at www.northyorkshirehomechoice.org.uk. A paper application is available to download from the website.

The purpose of the application form is to assess eligibility and qualification to join the Housing Register, assess housing need, award priority banding, and identify any additional support needs in applying for housing or conducting a tenancy.

Applicants or their advocate who may need help in completing an application can request assistance from any partner landlord, whose details can be found on our website.

Partner landlords reserve the right to conduct a phone or face to face interview when accepting an application to join the register.

3.1 Joint Applicants

Joint applications can be accepted. Both applicants must be eligible for an allocation of accommodation, aged 16 years of age or over (any person aged 16 or 17 years of age needs a trustee) and intend to occupy the property together as their only or main home. Joint tenancies will not be granted where one applicant is a person from abroad who is ineligible. In such cases, the eligible partner will be registered as the sole applicant.

Dependents, family members or other adults who are not partners of the applicant cannot usually be joint applicants. The partner landlord reserves the right to decide when and to whom they offer joint tenancies.

If joint applicants wish to change to sole applicants (for example due to relationship breakdown), they will need to notify us and one of the applicants will need to make a new application if they wish to remain on the Housing Register. The previous application will continue in the name of the partner with residency of any children.

3.2 Multiple Applications

Multiple applications are not normally allowed, and an applicant can usually only appear on one application. If an applicant is already registered, they must decide which application they wish to remain on, and all other applications will be cancelled.

3.3 Applications from Employees, Members, and their Close Relatives

Applications can be accepted from council employees, elected local authority Members, partner Registered Provider employees and their close relatives, provided they are eligible to join the housing register. The term employees include former employees. Applicants must disclose such status or relationship at the point of application.

Members of staff involved in the assessment of housing applications and allocation of both council and Registered Provider properties should declare an interest to their line manager if at any time, they become aware that they may have to deal with an application and/or allocation involving a member of their family or a close friend. This will then be passed to another member of staff to deal with. This is to protect staff from any allegations of bias or impropriety from members of the public.

A senior officer will approve an allocation to employees, Members and/or their close relatives.

3.4 Applicants of No Fixed Abode

Applicants of no fixed abode must give a contact address on their application form.

3.5 Applications from Prisoners

Applications can be accepted from people in prison, but would not normally be made active as the applicant is clearly unable to take up a tenancy. Where an applicant is within 28 days of release, the application will be activated to take account of the anticipated housing circumstances post release and the applicant placed in the appropriate band. The registration date for the application will be the date placed in the band.

Under the Offender Initiative, a tenant of one of the partner landlords, sentenced to more than 13 weeks imprisonment, can receive a direct offer on release from prison from the landlord who originally housed them provided they meet the following criteria:

- The tenancy was given up promptly on imprisonment
- There were no rent arrears or damage to the property
- There were no anti-social behaviour incidents related to the tenancy
- They satisfy the acceptable behaviour test on release.

3.6 Applications from Hospital

Applicants can apply to join the Housing Register whilst in hospital and will be assessed in accordance with the allocations scheme based on the accommodation available to them upon their discharge from hospital.

3.7 Fresh Applications

Applicants who have previously been regarded as ineligible, non-qualifying, or had their application cancelled may make a fresh application if they believe that their circumstances have changed, or the period of exclusion has elapsed.

Fresh applications will be assessed on the information provided, and where an application is accepted to the housing register, the banding date will be the date of the new application.

3.8 Applications where there is a conflict of interest

Where there is an identified or perceived conflict of interest between the applicant and partner landlord administering their application, an alternative partner landlord may be asked to process the application to ensure fairness and impartiality. In these situations, the transfer of application would be agreed with the applicant and Senior Officers of both organisations.

3.9 How Applications are Processed

3.9.1 Verification.

Applicants applying to join the Housing Register will be required to provide proof of identity and supporting evidence to verify eligibility and qualification for the housing register and assess their housing need. This may include (but is not limited to): Proof of National Insurance number, proof of address, proof of income and savings, proof of child benefit.

Verification will take place at the point of application, at the point of any offer of accommodation or at any point during any period of assessment or review.

During the application process, applicants may also be asked to provide evidence to verify their personal circumstances.

If requested, additional information must be provided within 28 days. Failure to do so will generally lead to cancellation of the application and the applicant will be notified in writing. Should an applicant wish to continue with their application, they will need to make a fresh application, which will start from the date that the new application is received.

It is the responsibility of the applicant to provide supporting information and evidence about their application.

3.9.2 Confirming registration

Applicants will receive written confirmation that their application has been assessed within 28 working days of all verifying information being provided. This will include:

- Their unique application reference number.
- Their assessed priority band.
- Their registration date and/or priority band date if different.
- The type and size of properties they are eligible to be-considered for.
- Any bidding restrictions.

3.10 Age Restricted and Sheltered Properties

Some properties are restricted to applicants of a certain age or above. These will be clearly stated on the advert, and applicants who do not meet the necessary age criteria will not normally be considered for these properties.

Applicants with disabilities may in certain circumstances, be considered for an age restricted property even if they do not meet the necessary age criteria.

Applicants with disabilities must provide supporting evidence of their need for an age restricted property. This may include (but is not limited to) a report from an Occupational Therapist, a supporting letter from a specialist consultant, or the award of high-rate Disability Living Allowance (DLA)/ enhanced Personal Independence Payment (PIP). The age restriction would normally only be lifted if the applicant's specific needs could only be met by allocating a property subject to an age restriction.

Only general needs sheltered schemes will be advertised through North Yorkshire Home Choice. Those applicants requiring extra care facilities should contact the local authority or housing providers directly.

3.11 Adapted Properties

Adapted homes will be advertised as part of the scheme to ensure that applicants needing this type of accommodation are given the widest possible choice.

Priority will be given on the shortlist to applicants who require, or best match, the specific adaptations within the property. The full circumstances of each case will be considered when deciding who will be offered the property and in some cases the offer may be given outside the tie-break order if the vacancy is suitable for the needs of a particular applicant.

Adapted properties will only be allocated to applicants who have supporting professional evidence, such as an Occupational Therapist or other specialist report.

Where there are no applicants with disabilities who require an adapted property, other applicants may be offered the property on the understanding that the adaptation will not be removed, or the property reinstated to its original condition.

3.12 Planning Conditions – Section 106

Certain properties may have Section 106 planning obligations under the Town and Country Planning Act 1990, often in rural areas requiring applicants to have a local connection (usually defined by parish). If no eligible applicants meet this criterion, others may be considered. Local connection requirements do not apply to victims of domestic abuse or care leavers, as defined in the Allocation of Housing (Qualification Criteria for Victims of Domestic Abuse and Care Leavers) (England) Regulations 2025.

3.13 Tenancy Type

The Council is required to publish a tenancy policy, explaining the different types of tenancy that we offer, when they will be offered and what the different tenancy types mean for new tenants.

The Localism Act allows all social housing providers to offer fixed term tenancies, rather than secure (or lifetime) tenancies, to help make better use of housing stock and increase the number of homes available for households in housing need in the longer term.

Applicants may be nominated to a vacancy with a partner Registered Provider. Every Registered Provider must publish information on the type of tenancy that they offer.

3.14 Cancelling Applications

Applications will be cancelled in the following circumstances:

- A failure to provide verification information within the timescale specified
- A failure to advise of a change of address within the timescale specified
- A failure to re-register on the Housing Register within the timescale specified
- At the applicant's request
- An applicant has been rehoused by the council or a partner Registered Provider, or has carried out a mutual exchange
- An applicant has purchased a property/shared ownership property and is now a homeowner
- A sole applicant has died
- An applicant does not qualify to join the Housing Register

- An applicant is no longer eligible to join the Housing Register
- Contact lost with an applicant as they have moved address
- An applicant has provided false information and/or deliberately withheld information
- An applicant has been found to have deliberately worsened their circumstances
- An applicant has declined two suitable offers of accommodation or refused a single direct offer of accommodation

Applicants have the right to request a review of the decision to cancel their application. Please see section 3.17 for further details.

3.15 Changes in circumstances

It is the responsibility of the applicant (or their advocate) to notify NYHC of any change of circumstance relating to or which may affect their housing application. Applications will be assessed using this information and where this results in an applicant no longer being eligible and/or qualifying for the register or results in a change in priority band the applicant will be advised in writing.

Any additional priority awarded as a result of a change in circumstances will only be effective from the date of the change of notification. Where a change in banding results in reduced priority, the time on the register will not change.

Applicants must update their application form if they move home, so that their housing need can be reassessed.

Partnership Landlords reserve the right to withdraw an offer of accommodation where it is found that there has been a change in circumstances which would have resulted in a change of priority band, eligibility and/or qualification for the housing register.

3.16 Review of Banding

The partnership reserves the right to review an applicants' banding where they are not actively bidding on suitable advertised properties or where a material change has been identified. Applicants will be contacted to discuss their application, current housing need and/or the reasons for not bidding. Where banding is reduced applicants will have a right of review.

Applicants in Emergency Band will have their application reviewed every four weeks. Applicants in Gold band will have their application reviewed on a regular basis to ensure they are not having difficulties with the scheme and to check and provide support in bidding on suitably advertised properties.

The partnership reserves the right to remove or reduce priority banding where applicants are not bidding on all suitably advertised properties. Where banding is reduced applicants will have a right of review

3.17 Re-registration

Applicants who have not bid on any properties within a 12-month rolling period will be contacted and asked if they wish to remain on the housing register. Where no response is received within 28 days the application will be cancelled. Applicants who contact the Partnership within 28 days and want to remain on the housing register will have their application reviewed, assessed, and banded based on their current housing need.

3.18 Right of review and general complaints.

Applicants have a right to request a review against decisions made under the allocations scheme. These include:

- A decision whether they are eligible for an allocation of accommodation
- A decision whether they are a qualifying person
- A decision how their case was assessed in considering whether to allocate accommodation

Further information on the Review procedure can be found on our website: www.northyorkshirehomechoice.org.uk.

3.19 Requesting Information

An applicant has the right to request;

a) Such general information as will enable him to assess how his application is likely to be treated under the scheme (including in particular whether he is likely to be regarded as a member of a group of people who are to be given preference by virtue of subsection 166A (3) of the Housing Act 1996); and
b) Such general information as will enable him to assess whether housing accommodation appropriate to his needs is likely to be made available to him, and if so, how long it is likely to be before such accommodation becomes available for allocation to him;
c) The Council to inform him of any decision about the facts of his case which is likely to be, or has been, taken into account in considering whether to allocate accommodation to him

The Council will provide information to applicants on request as to which priority band they have been placed in, and the estimated number of properties of the size required by the applicant expected to become available for letting during the financial year

SECTION 4: ASSESSING HOUSING NEED

4.1 Reasonable Preference

To ensure that those households in greatest housing need are given preference (priority) for an allocation of accommodation, we must give reasonable (but not overriding or absolute) preference to the following categories of people in accordance with Section 166A(3) of the Housing Act 1996:

(a) People who are homeless within the meaning of Part 7 of the Housing Act 1996 (including those that are intentionally homeless and those not in priority need)
(b) People who are owed a duty by any housing authority under Sections 190(2), 193(2) or 195(2) of the Housing Act 1996 (or under Sections 65(2) or 68(2) of the Housing Act 1985), or who are occupying accommodation secured by any housing authority under Section 193(2)
(c) People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
(d) People who need to move on medical or welfare grounds, including grounds relating to a disability
(e) People who need to move to a particular locality in the district, where failure to meet that need would cause hardship (to themselves or others)

Under The Allocation of Housing (Qualification Criteria for Right to Move) Regulations 2015, existing social housing tenants in England are given reasonable preference if they need to move into the North Yorkshire Council area to avoid hardship and they either work or have been offered work in the district and have a genuine intention to take up the offer of employment. Further information on the Right to Move can be found at Section 6 Existing Social Housing Tenants.

4.2 Additional Preference

Section 166A(3) Housing Act 1996 allows housing authorities to give additional preference to particular groups of people who fall within the statutory reasonable preference categories and who have urgent housing needs. NYHC have agreed to give the following groups additional preference within the housing allocations policy.

Members of the armed forces who fall within one or more of the reasonable preference categories above, and who have an urgent housing need and meet one of the following criteria, will on activation of their housing application have the date of their priority band backdated by 6 months.

a. Former members of the Regular Armed Forces
b. Serving members of the Regular Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.

c. Serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
d. Bereaved spouses or civil partners of those serving in the Regular Forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease, to be entitled to reside in Ministry of Defence accommodation following the death of their Service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.

Foster Carers and Adopters Applications from foster carers, those approved to adopt, or those persons being assessed for approval to foster or adopt, who need to move to a larger home in order to accommodate a looked after child or a child who was previously looked after by a local authority will be awarded Silver Band.

Resettlement Programme Applicants who have completed an approved accommodation-based support programme – resettlement - will have their time in band backdated to the start of active and continued engagement.

4.3 Priority Banding

Applicants will have their housing application assessed and allocated a band in accordance with their assessed housing need. Bands in order of priority are Emergency, Gold, Silver and Bronze. There is no order of priority within each band, and there is no cumulative preference given if one or more circumstances apply.

Emergency Band

This band will only be allocated in extreme circumstances and may be subject to a direct offer of accommodation to:

- Applicants who are unable to return from hospital to their current home within the Partnership area as it is deemed permanently unsuitable[1] and cannot be adapted for their needs or where major works are deemed not feasible
- Applicants are unable to access key facilities without **major** adaptation works[2]

Applicants in Emergency Band will have their application reviewed by the relevant partner organisation every four weeks who will have the discretion to re-band the application.

[1] Written confirmation from relevant professionals will be required, setting out the reasons as to why the applicant cannot return to their home.
[2] Joint assessment between the Social Services Authority and the LA / Partner Landlord will be required, signed off by the relevant officer.

Gold Band

- Care leavers at point of leaving a care home or supported housing[3] with an agreed support package relevant to the offer, and who are assessed as being ready for independent living.

- Applicants who need to move on from an approved accommodation based supported housing programme who have satisfactorily completed a resettlement programme and are able to live independently.

- Applicants presently under-occupying a home owned by a local authority or housing association[4] within the partnership area and require a property with 2 fewer bedrooms.

- Applicants who are overcrowded and require two more bedrooms[5] to relieve the overcrowding. Bedroom size will be taken into consideration.

- Applicants who are a statutory homeless household and owed a main duty under part 7 of the Housing Act 1996.

- Applicants owed a relief duty, and the local authority has reason to be believe they are in priority need.

- Applicants whose current accommodation is assessed as having a direct or serious impact on a medically diagnosed health and/or wellbeing condition where a property move would remove or significantly improve the impact.

- Applicants who have been assessed and accepted as having a proven housing need to move to a specific locality so that hardship can be prevented to themselves or others. Bidding restrictions may apply.

- Applicants whose home is subject to an Emergency Prohibition Order served under s.43 Housing Act 2004 by The North Yorkshire Council

Silver band

- Applicants whose current accommodation is assessed as compromising a diagnosed medical and/or health and wellbeing condition where a move to an alternative property would improve the impact.

- Applicants owed a homeless prevention duty.

- Applicants owed a homeless relief duty who are not in priority need.

[3] This is not applicable to care leavers in secure or assured non shorthold tenancies or other suitable accommodation.

[4] Applicants occupying a property which is not from or returned to general housing stock will not be eligible.

[5] Excludes applicants placed in temporary accommodation

- Applicants who are homeless under the Housing Act 1996 Part 7 and no main duty is owed or they are found intentionally homeless regardless of priority need.

- Applicants presently under-occupying a home[6] owned by a local authority or housing association within the partnership area and who require 1 less bedroom.

- Applicants who are overcrowded and require one more bedroom to relieve the overcrowding. Bedroom size will be taken into consideration.

- Applicants whose home permanently lacks basic amenities, not due to the failure of the applicant, where it cannot be resolved without reasonable building work.

- Applications from foster carers, those approved to adopt, or those persons being assessed for approval to foster or adopt, who need to move to a larger home to accommodate a looked after child or a child who was previously looked after by a local authority.[7]

- Applicants who share bathroom and/or kitchen facilities with separate households of people who will not be moving with them.

Bronze band

- Applicants who do not fall into any of the above categories.

[6] Applicants occupying a mortgage rescue property which is not from or returned to general housing stock will not be eligible. Such applicants who are eligible and qualify for the register will have their banding assessed according to priority need.

[7] Confirmation from children's social care required.

SECTION 5: The Choice Based Lettings Scheme

5.1 Advertised Housing

Choice based letting works by partner, participating and associated landlords advertising available properties each week and giving applicants on the housing register the opportunity to express an interest (bid) on an advertised property.

Adverts will include information on the type of property, number of bedrooms and any restrictions that may apply, to help applicants make best use of their bids.

Some properties may have restrictions, and these will be made clear by the landlord in the advert. Some restrictions include: [8]

- Specially adapted or designed properties for those with an identified physical disability or mobility need.
- Section 106 where there is a legal agreement between Local Authorities and developers. These are linked to planning permissions and applicants must meet a specified condition.
- Where the property has a minimum age criteria.
- To support rural communities a partner landlord may allocate properties to those with a local connection to a specific parish. Rural communities may be defined as parish settlements of less than 3000 in population. If there are no successful applicants, the property will be advertised to the wider partnership area
- A sensitive let where additional checks may be required on potential tenants to address or manage a specific local housing issue.
- A local lettings policy is in place.
- Priority band restrictions in areas of high demand

If an applicant bids on a property but does not meet the advertised criteria their bid will be overlooked and skipped in favour of an applicant that meets the criteria.

Properties may be withdrawn from advertising at any point in the bidding cycle.

[8] This is not an exhaustive list

5.2 Direct Offers.

In some cases, properties will not be advertised and instead offered directly to an applicant. Although not an exhaustive list such instances can include:

- Statutory homeless cases under the Housing Act 1996 Part 7 where either a main housing duty is owed, or a relief duty where the local authority have reason to believe the applicant is in priority need.

- MAPPA applicants assessed and approved by a senior manager to manage a potential risk to the public and/or enable a move on from a high support unit if not appropriate for resettlement.

- The offender initiative, where a partner landlord tenant has been sent to prison for 13 weeks or longer and meets the criteria.

- Management transfers. Where a person is in immediate danger a senior officer has the discretion to offer a management transfer to a place of safety. Evidence must show harassment of **a serious, targeted, and persistent nature** which could not reasonably have been prevented or avoided and there are no other ways of resolving the problem without the risk of serious harm.

  Serious- violence, threats of violence likely to be enacted, extensive property damage making it uninhabitable, harassment based on race sexuality or disability **and**

  Targeted- specifically aimed at an individual or household or exclusively to the property and not experienced by others in the immediate neighbourhood **and**

  Persistent- a series of repeated and recent incidents over a defined period of time or a likelihood of repetition as assessed by the police or other agency.

  Flexibility may be afforded to tenants experiencing or at risk of domestic abuse where it may prove more difficult to provide such information.

- Cases of flood or fire to the partner landlord's own properties, resulting in the tenant needing to be re-housed.

- Where, under a partner landlord policy, a person can succeed the tenancy, but the property is not suitable for their needs.

- Applicants whose home is subject to demolition or refurbishment by one of the partner landlords.

- Applicants who have completed a resettlement programme in an approved resettlement scheme. See Appendix 9 for further details.

- Applicants owed a duty under the Rent (Agricultural) Act 1976.

- Applicants under the National Witness Protection Scheme.

- A suitably adapted property becomes vacant and meets the needs of an applicant in emergency band.

- Any other management case where the issue is of a specialist nature including assisting Social Services and housing management and/or emergency.

Direct offers will be appropriate and suitable to the applicants needs[9] and approved by a senior officer. Any Partner or participating landlord can be approached for a direct offer. An applicant will only receive one direct offer of accommodation. Refusing a direct offer may lead to an application being cancelled but they will retain a right for this decision to be subject to review.

Direct offers are reported to and monitored by the NYHC Partnership Board on a quarterly basis.

5.3 The bidding cycle

Properties are advertised from Thursday until midnight on a Tuesday.

The maximum number of bids allowed per advertising cycle is 3. Bids can be placed at any time during the advertising period. Time of bidding does not determine place on the shortlist and is not used as a tiebreaker.

Auto bids used to assist applicants are placed by the system to an agreed criteria who may otherwise experience difficulty in doing so.

Applicants who are being considered for a property following a bid will note be able to make further bids.

Applicants (or their advocates) can place bid by the following methods:

- Via the website.

- Contact a partner organisation by phone or in person.

5.4 Short-listing and selection

At the end of the advertising cycle, applicants will be ranked by order of priority by the system and a shortlist produced. There are four 'tie breaks' used to help determine priority between bids which are applied in order from 1 to 4.

1. Band 2. Assessed Bedroom Need 3. Debt 4. Time on the register.

There may be some occasions when a property allocation will not follow the tie break order e.g., the applicant does not meet the advert criteria, such as the minimum age, local letting policy or other property restriction.

[9] In respect of management transfers this will be a like for like offer.

5.5 Tie breakers

Tie breaker 1 Band:

Bids will firstly be ranked by band as follows; Emergency followed by Gold then Silver then Bronze. Where applicants are equal by band then the process moves to Tie Breaker 2

Tie breaker 2 – Assessed Bedroom Need

Applicants whose requirements exactly meet the number of bedrooms advertised. Where applicants are equal by bedroom need the process moves to Tie Breaker 3.

Tie breaker 3 – Debt

Where applicants are equal in band and assessed bedroom need then financial conduct will be taken into account. Applicants with no housing related debt will rank above those with debt. Statute barred debt will not be considered for the purpose of this tie breaker.

Where applicants are equal by debt then the process moves to Tie Breaker 4.

Tie breaker 4 – Time

Where applicants remain equal the applicant with the earliest priority band date will be ranked first. In the event of applicants being equal in priority band date then the earliest registration date will be used.

5.6 Viewing properties and receiving offers

When an applicant has been shortlisted and matched to a property, they will be invited to attend a viewing. Where applicants are being considered for more than one property, they will be asked to choose which property they would prefer to be considered for. Applicants can only be considered for one property.

Where a person is invited to view and fails to respond within 24 hours or where a viewing cannot be made within a reasonable period of time (as agreed by the partner landlord) then the property may be offered to another applicant.

Following a viewing an applicant will be given 24 hours to decide to accept or refuse a property offer. This time frame may be extended where the property needs to be assessed for adaptations, suitability on medical grounds or someone with a disability needs more time to consider the move.

Where an offer of accommodation is made, further verification will take place to ensure that the applicant is currently eligible and qualifying for the housing register and the allocation of the property. Applicants will be advised what information is required and when this information is needed.

Failure to provide any information requested within the given time frame may result in the property offer being withdrawn and the property being offered to the next applicant on the shortlist.

SECTION 6: EXISTING SOCIAL HOUSING TENANTS

6.1 Existing social housing tenants

Existing social housing tenants will have their eligibility and qualification assessed in the same way as new applicants however, tenants will not normally be allowed to move where:

- They have current arrears and/or are in breach of their tenancy agreement. Where a breach relates to rent arrears, or other outstanding debts to the landlord, affordability will be considered.
- The landlord has begun formal action because of a tenancy breach.
- They occupy a property that has been adapted for their needs, unless that adaptation is no longer required or the property they are moving to includes all the adaptations they require.
- They have been housed within the last 12 months unless a key change in circumstances make the property unsuitable for their needs.
- They are in temporary accommodation, hostels and/or supported housing and are in arrears and/or are in breach of their accommodation license/tenancy where court action /eviction is likely. Contact with the relevant manager should be made where arrears are low level to be individually assessed.

There may be occasions where an existing tenant wishes to downsize but has accrued rent arrears because of under occupying a property or other welfare reforms. These tenants will have their application assessed and may be allowed to move where they are addressing current arrears and to help prevent further hardship.

To help facilitate a move, existing tenants should be advised to register for Mutual Exchange. Each partner landlord will have their own mutual exchange policy and will provide information and guidance on the terms and conditions of the process.

Some lettings of secure tenancies are exempt from the requirements of part 6 of the Housing Act 1996 and this allocations policy will not apply to:

- Succession on the death of a tenant.
- Assignment by way of exchange (a mutual exchange).
- Assignment to a person who would be qualified to succeed if the tenant had died immediately before the assignment; or
- Transfers of tenancy under the provisions of matrimonial and related domestic legislation.
- Temporary decants

Where an applicant is an existing secure tenant or an assured tenant of a Registered

Provider, the tenant cannot be regarded as ineligible under Section 160ZA of the Housing Act 1996 for an offer of accommodation based on their immigration status.

6.2 Right to Move

"The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015", states that local connection criteria may not be applied to existing social housing tenants seeking to transfer from another local authority district in England who:

- Have reasonable preference under Section 166(3)(e) of the Housing Act 1996 because of a need to move to move to the local authority's district to avoid hardship, and
- Need to move because the tenant works in the district, or
- Need to move to take up an offer of work and the tenant has a genuine intention to take up the offer

This is to ensure that existing tenants who are seeking to move between local authority areas in England for work related reasons are not disadvantaged.

The term work includes an apprenticeship, but excludes voluntary work, where no payment is received, or the only payment is in respect of any expenses reasonably incurred. We will require supporting evidence to confirm that the work or job offer is genuine.

We will seek confirmation that the tenant meets the Right to Move criteria both at the time of the initial application and when considering making an allocation of housing.

Transferring tenants must have reasonable preference, that is not simply that they wish to move, but that they need to move to a particular locality within The North Yorkshire Council area, where failure to meet that need would cause hardship.

6.3 Good Tenants Scheme

This is an incentive scheme for the current tenants of partner and participating landlords who live in the partnership area. To qualify, tenants must meet all the following criteria:

- lived in their current property for 3 years
- have not been in breach of their tenancy agreement
- have had no rent arrears in the last 3 years
- the property must be in a good state of repair & decoration and suitable to let without any additional work (over and above the required safety checks)
- give permission to their landlord to show their property to prospective tenants prior to them moving out.

Tenants who meet the criteria will be awarded one band above their assessed housing need up to a maximum of Gold band.

APPENDIX 1 APPLICATIONS FROM MINORS (YOUNG PEOPLE AGED 16 AND 17 YEARS OF AGE)

Anyone aged 16 years of age or over may apply to join the Housing Register.

Minors, including applicants aged 16 or 17 years of age, cannot legally be bound by contracts, or hold a legal estate in land. However, they can be bound by a “contract for necessities” and a minor can be legally bound to pay the rent. Therefore, a minor can hold an equitable tenancy providing a trustee is appointed to hold the legal estate in trust until the minor reaches 18 years of age, when this will expire, and an introductory tenancy will be granted.

Applicants aged 16 or 17 years of age without a trustee will not be eligible to join the Housing Register.

A trustee should be:

- A responsible adult.
- An organisation.
- A named individual within an organisation.

A trustee who is a responsible adult should:

- Be a close friend or relative.
- Have a stable five-year housing history.
- Have no debts to the council (council tax and/or rent), or a Registered Provider.
- Be able to attend the tenancy sign up.

Although the trustee must attend the sign up of the tenancy, there is no obligation to attend any further meetings relating to the tenancy. Both the trustee and the minor will jointly be served with paperwork relating to any Possession Proceedings.

The trust automatically ends on the young person’s 18th birthday.

In the case of joint minors, an individual trustee is required for both young people.

APPENDIX 2 UNACCEPTABLE BEHAVIOUR

Statutory and Regulatory Guidance

Applicants may not qualify to join the Housing Register if the applicant, or a member of their household, has been guilty of unacceptable behaviour that is serious enough to make them unsuitable to be a tenant at the time that their application is being considered.

Where the unacceptable behaviour has been committed by a person who was, but is no longer a member of the applicant's household, the behaviour will be disregarded provided that the applicant is not guilty of unacceptable behaviour themselves.

The unacceptable behaviour test applies to all applicants, including those that would fall within a reasonable preference group. This also means that statutory homeless applicants to whom the council has accepted a full homeless duty may not qualify to join the Housing Register.

The "test" is whether the behaviour of the tenant would have given rise to a reasonable prospect of the housing authority obtaining an order for possession, whether actually or notionally, had the applicant been a secure tenant.

Assessing Qualification.

Applicants will not automatically be nonqualifying if their circumstances 'fit' a defined category as each case will be judged on its own merits.

In reaching a decision on whether an applicant does not qualify on the grounds of unacceptable behaviour, all relevant information will be considered, including whether the behaviour may have been due to a physical or learning disability, or mental health issues, and information from other agencies.

We will consider an application where there is a proven history of unacceptable behaviour if the applicant can demonstrate that they have modified their behaviour and that they are suitable to be a tenant i.e. are engaged in support with a recognised support provider and the provider will continue that support if/when the applicant is rehoused, or have paid their rent arrears in full or have maintained a satisfactory repayment arrangement over a reasonable period of time.

References may be requested regarding an applicant's current or previous addresses. References will not be requested from family members or friends of the applicant unless there is a clear landlord/tenant relationship. Applicants will be given an opportunity to provide any further information to support their application prior to a final decision being made on their qualification.

*Section 84 of the Housing Act 1985 and Section 94 to Section 100 of the Anti-Social Behaviour, Crime and Policing Act 2014)

Notifying the Applicant of the Non-Qualification Decision and the Right to Review

Applicants will be informed in writing if they do not qualify on the grounds of unacceptable behaviour, the reasons why and their right to request a review of the decision. Applicants will be notified of the actions they need to take to remedy their non-qualification and details of any relevant support and/or independent agencies will be provided. Further information on the Review procedure can be found at section 3.17 or on our website: www.northyorkshirehomechoice.org.uk

A fresh application will need to be made by an applicant where a previous non-qualification decision has been made and they feel that their unacceptable behaviour has been addressed. If accepted, their application will start from the date that the new application is received.

Grounds for Lifting the Non-Qualification Decision

We will work collaboratively with the police, probation, prison service, social care, health services and any other relevant support agency in an effort to resolve an applicant's non-qualification and improve their chances of being integrated back into the Community through a planned and managed approach.

The basic principle for lifting the non-qualifying status will be evidenced material change in the applicant's circumstances. For example:

- Where an applicant has been guilty of unacceptable behaviour, the applicant can evidence a significant change in their behaviour over a sustained period of time. This would usually be a minimum period of six months
- An applicant is actively engaged in support with a recognised support provider which addresses their previous unacceptable behaviour, and the provider will continue that support if/when the applicant is rehoused.
- The relevant conviction has become spent, and the applicant is not considered a risk to the community.
- The applicant is addressing arrears and debts by paying in full or addressing through a reasonable payment arrangement. An affordability assessment may be required.

Where a partner landlord has previously evicted a household, they will not generally be expected to provide housing within a 5-year period but may need to consider individual cases.

APPENDIX 3 HOMELESS APPLICANTS

Applicants who are eligible and qualify will receive the following priority banding:

Prevention Duty	Silver	Bidding not restricted
Relief Duty	Silver	Bidding not restricted
Relief Duty and in priority need	Gold	Bidding not restricted
Main Duty Owed	Gold	Bidding not restricted.
Intentionally Homeless	Silver	Bidding not restricted
No Priority Need	Silver	Bidding not restricted

Applicants are expected to bid for all suitable properties and may be placed onto auto bid if they are found not to be bidding. The local authority reserves the right to make one direct offer of accommodation to a homeless household at any point

If a homeless applicant refuses a suitable direct offer that ends the local authority duty, applicants may remain on the housing register and their application will be assessed on their housing need.

APPENDIX 4: OVERLOOKING A SUCCESSFUL BID

There will be circumstances where allocations staff will have discretion to overlook a successful bidder.

1. Debt from former tenancies:

This means housing related debts such as rent arrears, court costs or rechargeable repairs to any private landlord, social landlord or council. It includes temporary accommodation, hostels, and supported housing but does not include arrears accrued on mesne profit accounts by Service personnel (as defined in S.2.3.1 (P11)) leaving armed forces accommodation.

A successful bid may be overlooked if the applicant has housing related debt and does not have a repayment agreement in place.

- The agreement should have been maintained successfully and continually for a minimum of thirteen weeks prior to the successful bid being made. Applicants who receive monthly payments such as Universal Credit must evidence continuous payments of three months, and

- the re-payment agreement is current.

- Repayment plans should be appropriate to the level of debt owed and be acceptable to the housing landlord.
- Where debt is owed to a private landlord the applicant must evidence a willingness to repay.
- A landlord may require an affordability assessment to ensure that the applicant can afford to continue their repayment plan and pay rent on a new tenancy.

2. Existing tenants in breach of their tenancy.

Bids from existing tenants will normally be overlooked if:

- they are in breach of their tenancy conditions including rent arrears or other debts owed to a landlord. Where a breach relates to rent arrears, or other outstanding debts to the landlord, affordability will be considered.
- Their current property has been specifically adapted to meet their current needs, unless that adaptation is no longer required or the property, they have bid on includes all the adaptations they require.

Existing tenants who are in rent arrears because of under occupying their current property or other welfare reforms will be assessed individually.

Existing tenants in temporary accommodation, hostels and supported housing will not normally be allowed to move if they have current arrears. Contact with the

relevant manager should be made where arrears are low level to be individually assessed.

3. MAPPA

   Applicants subject to MAPPA can be overlooked if the property is not suitable on advice of North Yorkshire Police Public Protection Unit or North Yorkshire Probation Services.

4. Health and safety or illegality

   A successful bid that creates a risk to life, serious health and safety risk, or creates a situation that is illegal such as statutory overcrowding.

5. Charitable Status

   A successful bid will be overlooked if the applicant does not meet the charitable criteria of the housing association which place restrictions on who can be housed.

6. Essential Need

   Where a person has an essential need to live close to another person who currently lives in the partnership area, the property must be in the locality area where the person lives.

7. Support

   The receiving landlord must be satisfied that a suitable support package is in place and sufficient to meet the needs of vulnerable applicants who have been assessed by a specialist professional as having a support need that would affect their ability to live independently and/or maintain a tenancy.

8. Restrictions

   Where there are bidding restrictions in place and the bid does not meet the advert criteria.

9. Non-Qualification or Ineligibility

   Where the applicant is found to be no longer eligible and/or qualify.

10. Disability

    Where a property cannot reasonably be adapted for an applicant with disabilities. It may not be reasonable to adapt properties where a major structural alteration is required such as an extension, through floor lift; or door widening.

Minor adaptations such as stair lifts, adjustments to baths or showers, grab rail etc. should generally not exclude the successful applicant from receiving the offer; however, staff will exercise their discretion where funding is not available for these adaptations.

11. Adapted properties

Where a successful bid has been made on an adapted property and the applicant does not have need for that adaptation. Staff can re-advertise for one further cycle in this instance.

12. Terms of the advert

Where the successful bid does not comply with the terms of the advert.

13. Affordability

Where it is determined that the applicant will not be able to financially sustain the tenancy. A financial assessment should be carried out.

14. Adopters/foster carers

If the property is not a suitable location as advised by children's social care.

15. Mental Capacity Assessments

Where it is assessed an applicant does not have the mental capacity to maintain a tenancy and there is no trustee is in place. Each case will be individually assessed.

In exceptional circumstances a senior officer can override discretionary grounds to allocate a property.

APPENDIX 5 BEDROOM NEED

5.1 Assessing Bedroom Need

Applicants will only be considered for the size of property that meets their housing need. A separate bedroom will be allowed for:

- A single applicant or a married/cohabiting couple
- A pair of children of the opposite sex aged under 10
- A pair of children of the same sex aged between 0 - 16
- Any adult aged 16 or over
- Any foster child staying
- Any other person

- A room intended as a bedroom but used for another purpose, for example storage of possessions, will still be regarded as a bedroom. If an applicant claims the bedroom is unfit for use, our Private Sector Housing Team will be contacted for advice.

- If bedrooms could be better used, we will assume they are for assessment purposes.

- If a child has a home elsewhere, but chooses to live with another applicant, the child will be discounted for assessing overcrowding.

- Applicants living in bedsits are not generally classed as lacking a bedroom.

- Applicants sharing a bedroom with a non-applicant are classed as lacking a bedroom.

- Discretion can be exercised by staff to adjust the number of bedrooms required if the bedrooms in the property are particularly large or small having regard to the space standard.

5.2 Exceptional Circumstances

An additional bedroom may be considered in the following cases:

- A carer provides regular overnight care for the applicant and/or their partner

The applicant or their partner should be in receipt of high or middle rate Attendance Allowance or Disability Living Allowance (DLA), or enhanced rate Personal Independence Payment (PIP). Regular care should be a minimum of two to three nights care per week on average. There should be a continuing need for care, with the expectation that the care will be required for the foreseeable future. Care must be provided during the night, solely being put to bed, and woken up in the morning

does not constitute overnight care and the care provided must be more than simply a presence overnight, such as changing bedding or administering medication. The care must be provided by someone who does not normally live with the applicant and the carer must use the additional bedroom for their overnight stays, as opposed to sleeping in the living room. Only one extra bedroom will be allowed even if the applicant and their partner both need individual carers.

- A child has a serious disability and cannot share a bedroom as a result

The child should be in receipt of high or middle rate Disability Living Allowance (DLA). Consideration will be given to the nature and severity of the child's disability, the nature and frequency of care provided and whether it is regular and overnight (as specified above), the reasons why the child cannot share a bedroom and the extent to which other children would be disturbed during the night. Supporting evidence that the child needs its own bedroom should be obtained from a relevant health professional.

- Foster Carers or those seeking to adopt.

Applications from foster carers, those approved to adopt, or those persons being assessed for approval to foster or adopt, may be allocated an additional bedroom if they need to move to a larger home to accommodate a child. Written confirmation must be obtained from Social Services. Foster children are not considered in determining household size for the purposes of the under-occupation measure under the Welfare Reform Act 2012 and removal of the spare room rate subsidy and a financial assessment will be required to confirm that any accommodation offered is affordable.

5.3 Unborn Children

An unborn child is not counted as a member of the household until proof has been received that the child has been born. The only exception to this is where the applicant is within 12 weeks of their due date, and it is determined that they would be overcrowded in their current accommodation upon the birth of the child. Expectant mothers should provide a MATB1 form or other proof of pregnancy from a health professional (followed by a MATB1 form).

5.4 Children in Care

Children in care will be assessed on a case-by-case basis and confirmation will be required from social services that the child will return to live with the applicants on a permanent basis, should they be allocated a suitable property

5.5 Day to Day Residence and Parenting Responsibilities

In cases of shared parenting responsibilities and part time residency of children, although a child may live with its parents on a split week basis, only in exceptional circumstances, such as where children have special needs, will it be reasonable for children who already have an existing home with one parent to be provided with another home to live with the other parent.

We will request documentary evidence to determine who a child normally lives with.

Where a child is included on an application where no parental responsibility exists within the household (for example grandchildren, nieces, nephews), proof must be obtained of legal guardianship and confirmation obtained from Social Services that this will continue on a permanent basis.

5.6 Students

Students who are temporarily absent from the applicants home and living in student accommodation are included as household members.

5.7 Adult Household Members

Persons over the age of 18 may continue to be considered as part of an applicant's household if they still reside with the applicant and wish to continue to do so.

Adults living elsewhere will not normally be added to an application, unless they have a demonstrable need to live with the applicant, and they plan to live with the applicant on a permanent basis.

Applicants who require a full-time residential carer may include the carer on their application. Proof of the requirement should be obtained from Social Services or relevant health professional.

APPENDIX 6: PROPERTY NEED

The table shows the size of properties that applicants are eligible for based on their household composition.

	Bedsit or Studio	1 bed	2-bed	3-bed	4-bed	5-bed
One adult.	✓	✓				
A Couple	✓	✓				
Two adults* (not a couple)			✓			
Three adults*			✓	✓		
One / Two adults with one child			✓			
One / Two adults with 2 children under 10			✓			
One / Two adults with 2 children of the same sex up to the age of 16			✓			
One / Two adults with 2 children of the same sex one over 16				✓		
One / Two adults with 3 children				✓	✓	
One / Two adults with 4 children				✓	✓	
One / Two adults with 5+ children					✓	✓

*Joint tenancies between two adults not recognised as a couple for example a brother and sister would be eligible for a 2-bedroom property. Household compositions for 3 adults such as three adult siblings may be eligible for a 3-bedroom property.

Landlords have different housing stock profiles, and they reserve the right to determine size criteria which will be made clear on the property advert. For example, a 3-bedroom house may be advertised as having one double and two single bedrooms (household of 4) as opposed to a 3-bedroom house with two double and one single bedroom (household of 5)

Landlords may define houses as family housing i.e., only suitable for applicants with children or who are expecting a child.

In general applicants and their households will match the size criteria but in certain areas or for certain properties they may be allowed to bid for larger property. However, a financial assessment will be required to confirm that the accommodation offered is affordable.

In exceptional circumstances, where applicants have very large families that may have little or no prospect of finding a property that is large enough to meet their assessed bedroom needs, partner landlords may permit bids for properties that are smaller (maximum 1 bedroom less than required) than their assessed bedroom need provided the allocation would not make the applicant statutorily overcrowded.

Where an applicant chooses to accept an offer of accommodation that has fewer bedrooms than their assessed bedroom need, and they then reapply they will only be able to apply for a property of an assessed suitable size

APPENDIX 7 RESETTLEMENT AND MOVING ON FROM SUPPORTED HOUSING

Applicants who have successfully completed a programme of support in an approved supported housing scheme and are ready to move on to independent living may qualify for resettlement priority.

The support plan will normally have been completed over a period of 12 to 24 months, but in all cases will be a minimum of six months. Applicants who have lived in supported housing for less than six months will not be eligible for resettlement but can make an application to the housing register and will have their housing needs assessed accordingly.

A Resettlement report must be provided to the local authority which confirms that the applicant is able to live independently. Evidence of support around the following areas should be provided:

- Money management (budgeting, paying bills/rent, addressing arrears etc.)
- Practical skills (cooking, cleaning, hygiene and home management, forms and benefits, furniture, setting up utilities etc.)
- Health and well-being (managing substance misuse, registering with a GP/dentist etc, engagement with mental health services.)
- Social responsibility (accessing employment/education/training/volunteering)
- Managing offending (compliance with orders, completion of recognised perpetrator course etc.)
- Personal Skills (assertiveness, communication, self-esteem, conflict resolution, rebuilding family relationships etc)

The resettlement report may be rejected if there is insufficient evidence that the support programme has been fully completed or the applicant is not ready for independent living or ongoing support is not in place.

Applicants who qualify for resettlement priority will be placed in Gold Banding and given 3 months to bid on suitable properties. After this time, the Partnership reserves the right to place their application onto auto bid or make one direct offer of accommodation.

In certain circumstances the applicant will not be able to bid at all and will be made a single direct officer.

Restrictions may be placed on bidding to a specific location and the applicant will be advised of this in writing.

The receiving landlord must be satisfied that any applicant who needs long term help has a support package in place that is sufficient to meet the applicant's needs and includes with it a strategy for non-engagement.

A list of recognised supported housing schemes is available on our website: www.northyorkshirehomechoice.org.uk

Amendment	November 2011	Implemented	01.12.2011
Policy Review	2013	Implemented	26.09.2013
Amendment	Section 2.4	Implemented	01.09.2015
Amendment	HRA 2017	Implemented	01.04.2018
Policy Review	November 2018	Published	01.10.2019
Reprint[i]	June 2022	Published	01.06.2022
Policy Review[ii]	April 2023	Published	01.04.2023
Policy Review[iii]	April 2025	Published	01.04.2025
Amendment	Sections 2.3 3.8 3.18	Published	09.10.2025
Amendment	Allocation of Housing (qualification criteria for victims of domestic abuse and care leavers)(England) Regulations 2025	Published	12.11.2025

[i] Document reprint to remove reference to City of York Council and the Local Authority Area of York as City of York Council leave North Yorkshire Home Choice to operate their own social housing allocations policy and housing register. June 2022

[ii] Allocations Policy review to reference existing NYHC Partner Local Authorities joining together to become part of the new North Yorkshire Council from 1st April 2023. The North Yorkshire Home Choice Allocations Policy remains in place and applies to social housing within the existing former district and borough Council Partner areas only.

[iii] Allocations Policy review to include the former Harrogate Borough Council local authority area.