

Tonbridge and Malling Borough Council Homebuy Allocations Procedure

Introduction

This procedure applies to the sales allocation of all forms of affordable home ownership provided by **Registered Social Landlords**. These include:

- n OwnHome
- n MyChoiceHomeBuy

Procedure aims and objectives

- n To establish a sales policy that is flexible, non-discriminatory and responsive to demand, while contributing to the need to be inclusive and the need to ensure sustainable communities.
- n To establish an efficient, transparent, fair and effectively controlled basis for the acceptance and processing of applications for affordable home ownership.
- n To provide a system of prioritising applicants ensuring that homes are allocated to people in housing need and to those whom these types of tenure are an appropriate solution.

Eligibility criteria

- Applications are accepted from single or joint applicants.
- Applicants should be a first time buyer, except those who have previously owned a home with a partner and the relationship has broken down. These applicants will be considered the same as first time buyers. However, where applicants hold interest, or have previously held interest in a property, the HomeBuy Agent must secure proof of sale, or a signed undertaking to dispose of the interest, prior to exchange of contracts.
- Applicants must demonstrate they are unable to purchase a home of suitable size and location for their needs on the open property market.
- Applicants must clearly demonstrate that they are able to sustain the affordability of home ownership (mortgage, rent, service charge, repairs, etc) over the long-term future.

- The financial eligibility of joint applications will only take into account the applicants who are taking out the mortgage, i.e, a joint mortgage application. Where only one person is taking out the mortgage only that person's financial situation will be considered. The finances of the applicant not taking out the mortgage will not be taken into account.
- Applicants must satisfy the status requirements of a reputable mortgage lender (sub-prime mortgage lenders are not acceptable).
- Applicants must be able to afford the initial costs of purchase through savings or access to funds of approximately £3,000.
- Applicants must be at least 18 years old and have a bank or building society account (in the case of affordable home ownership schemes for the elderly, applicants must be at least 55 years old)
- Applicants will be in housing need and on the Council's housing register
- Applicants must have a local connection to Tonbridge and Malling Borough Council¹

Where additional criteria apply within certain schemes, e.g., s.106 restrictions, residency and/or work conditions, these will also apply. Where this criteria exists, the HomeBuy Agent will contact the Council and obtain this criteria.

Applicants for key worker schemes must be public sector workers within the roles defined by the government or local authority.

Prioritisation of applicants

Wherever possible we will offer a choice of home, while giving reasonable preference to those in 'priority need' for housing under the Housing Act 1996 part VII (as amended by the Homelessness Act 2002).

¹ A local connection is where the applicant has lived in the borough for six out of the last twelve months, or three out of the last five years, has a permanent job which is based in the borough, or has immediate family (mother, father, brother, sister or adult children) living in the borough who have lived here for at least five years.

The HomeBuy Agent will work with the Council to enable the latter to fulfil their duties to people in priority need.

Priority will be given to applicants who are:

- Nominated by Tonbridge and Malling Borough Council in accordance with this procedure;
- On the Council's housing register / list;
- Existing tenants of a local authority, housing association or other public body whose property would subsequently be re-let to another household in housing need;
- Families with children
- Key and essential workers;
- Households living and/or working or have a local connection to the Tonbridge and Malling borough;
- Shared owners who need to move because their home is either too small or too large for their household needs

The suitability of applicants' existing accommodation will also be assessed and taken into account, in relation to:

- n Security of tenure, eg, threat of homelessness or temporary accommodation
- n Overcrowding
- n Health (where a member of the household's health is affected by the standard of the existing accommodation) or disability
- n Sexual or racial harassment

(Where applicants have received a Notice of Seeking Possession (NOSP) on their existing property, a copy of the NOSP must be obtained and held on file for record purposes.)

Accommodation sizes

Homes will be offered that are suitable for the applicants' household's needs. Therefore, unless scheme specific, properties will be offered with one bedroom in excess of current household need, to ensure accommodation is suitable in the longer term, as follows:

Household type	Property type
Single person	One bedroom property
Childless couple	One or two bedroom property
Single/couple with one child or expecting child	Two or three bedroom property
Single/couple with two or more children	Three bedroom property or larger

These accommodation sizes may be varied with the agreement of the Local Authority and relevant Registered Social Landlord.

Procedure for applications

1. Applicants are required to complete an application form and provide sufficient information for an eligibility assessment to take place.
2. HomeBuy Agent staff carry out an initial assessment of an applicant's eligibility. The HomeBuy Agent will assess the applicant in accordance with the criteria agreed with the local authority.
3. Applicants that are eligible will be registered onto the HomeBuy Agent's database for properties in the areas they request. For people who apply online through the HomeBuy Agent's website, this screening process is automated.
4. If the HomeBuy Agent considers the applicant ineligible, or the decision is unclear, the case will be referred to the Council for a final decision. The HomeBuy Agent will provide the Council with a copy of the application and any supporting information in order for the Council to consider the case. The Council will make the final decision on whether the applicant is accepted onto the database. The local authority's decision is final.
5. Following database registration, applicants will be sent details of available properties within the areas they have expressed interest.
6. Where the local authority are notified by a Registered Social Landlord (RSL) of available Homebuy properties for nomination, the local authority will request suitable nominees in accordance with this procedure, from the HomeBuy Agent.

7. Eligible applicants in accordance with this procedure whose requirements match the available homes, will be initially selected by the HomeBuy Agent and their details forwarded to the local authority for approval. The local authority, if they approve the nomination, will nominate the applicant to the relevant Registered Social Landlord (RSL).
8. The RSL will arrange an interview the purpose of which is to;
 - a. Confirm that the information provided within the application form is accurate and that eligibility criteria has been met
 - b. Assess and confirm financial suitability and sustained affordability
 - c. Outline the initial and ongoing costs involved
 - d. Explain the features of the shared ownership lease, including rent, management charges, service charges and repairs obligations
9. Applicants will be informed, in writing, whether or not they have been allocated the property. Reasons will be provided for applicants who are not selected to proceed.

Applicants' records and data

Information on applicants and their households held within HomeBuy Agent's records is subject to the Data Protection Act 1998. Every care will be taken to keep the information secure and confidential and held only for as long as is necessary for the purpose it is intended for. The data can only be disclosed to relevant third parties provided it is in accordance with the statement included within the application form.

Electronic data will be cleansed regularly and data retained for the following periods:

- Electronic data relating to enquiries: three months from date of enquiry (unless an application form is submitted)
- Electronic data relating to applicants who have been accepted as eligible: one year from receipt of application form (unless the application processes to completion where application will be deleted on completion). Applicants who are registered on the HomeBuy Agent's database for one year or longer will

be deleted. The HomeBuy Agent will reinstate any applications at this time at the request of the applicant

- Electronic data relating to applicants who are not considered eligible: three months from date of letter informing them of this decision

Hard copies of application forms will be kept for the same periods as the above, after which time they will be destroyed.

Equalities and diversity

Properties will be allocated on a fair and non-discriminatory basis in accordance with the Council's and HomeBuy Agent's equal opportunities policies and the criteria set out in this procedure.

A confidential diversity monitoring form will accompany all application forms to ensure fair access.

All HomeBuy Agent literature will be made available in large text, audio tape or translated into another language on request.

Monitoring

All sales allocations will be recorded in the Continuous Recording of lettings system (CORE). This will highlight the extent to which diverse needs are being met and indicate areas where a revised or different approach may be required. The HomeBuy Agent must examine ethnicity of allocations to ensure accountability and fairness.

Allocation of affordable home ownership properties/scheme funding to staff, Board members, and/or their relatives

We will exercise due care and attention to ensure accountability and fairness when managing applications from staff², Board members and/or their relatives³.

² The term *staff* relates to employees of Moat. The same applies in the interpretation of the term *Board member*.

³ The term *relative* is defined as a member of the immediate family or household, i.e., partner, wife, husband, son, daughter, brother, sister, mother or father.

The following will be adhered to:

- Applications will only be accepted if the HomeBuy Agent (Moat) is the main provider of affordable home ownership in the area requested.
- Applicant/s must be approved by the local authority before a nomination can be made.
- Applications within these groups of people will not be treated with any preferential treatment. The HomeBuy Agent and local authority will scrutinise their applications to ensure accountability, fairness and justification for their case to proceed.
- Staff members of the HomeBuy Agent and local authority involved in this process must have no personal relationship to the applicant. The staff/Board member involved will have no influence in the allocation of homes/funding for the particular scheme.
- If authority to proceed is granted, the head of sales and corporate marketing will seek written approval from the Moat chairman and chief executive. A report detailing these applications and subsequent approval/rejection status will be provided to the Moat Board for information.

Details of any applications within this category that proceed to completion will be recorded by the HomeBuy Agent.

Appeals

Appeals against allocations decisions will be considered via the HomeBuy Agent's and Council's Complaints procedure. All allocations decisions must be made with due care such that they can be justified within an appeal.

If an applicant's refusal of a property is considered reasonable it will not be of any detriment to the application and future offers will be made where possible. Where an applicant refuses up to three offers without providing valid reasons the team manager will reconsider the application and reserves the right to cancel it.

Miscellaneous

This procedure will be reviewed at least once a year by the HomeBuy Agent and local authority.

Copies of this document will be made available upon request to anyone who requests a copy.