This Policy is applicable ONLY to Cairn properties in locations where we are not members of a Common Housing Register.

<table>
<thead>
<tr>
<th>Subject</th>
<th>Cairn HA Lettings Policy</th>
</tr>
</thead>
</table>
| Relevant Legislation | The Matrimonial Homes (Family Protection) (Scotland) Act 1981  
Housing (Scotland) Act 1987, as amended by Human Rights Act 1998  
Immigration and Asylum Act 1999  
Housing (Scotland) Act 2001  
Civil Partnership Act 2004  
Equalities Act 2010  
Housing (Scotland) Act 2014  
Data Protection Act 2018  
DPA Act 2018  
Freedom of Information (Scotland) Act 2019 (as of Nov 2019) |
| Relevant Policies | Tenancy Changes  
Tenancy Sustainment Policy  
MAPPA  
Witness Protection  
Customer Care  
Feedback  
Tenant Participation  
Equality and Diversity  
Good Practice Guidance from relevant Bodies |

We meet the outcomes of The Scottish Social Housing Charter specified by The Scottish Government. The relevant outcomes are noted here:

1: Equalities  
• every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.

2: Communication  
• tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.
3: Participation
- tenants and other customers find it easy to participate in and influence their landlord’s decisions at a level they feel comfortable with.

7, 8 and 9: Housing options
- people looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them
- tenants and people on housing lists can review their housing options.
- people at risk of losing their homes get advice on preventing homelessness.

10: Access to social housing
- people looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and on their prospects of being housed.

11. Tenancy sustainment
- Social landlords ensure that tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.

12. Homeless people
- Homeless people get prompt and easy access to help and advice; are provided with suitable, good-quality temporary or emergency accommodation when this is needed and are offered continuing support to help them get and keep the home they are entitled to.
Time in Need 18
Care & Support - Madelvic Square 18
Additional/Alternative Local Assessments 18

Pre – Tenancy Visits 18

SUSPENSION OF APPLICATIONS 18

REVIEW AND CANCELLATION OF AN APPLICATION 20

LEGAL ACTION FOR RECOVERY OF TENANCY 20

APPEALS 20

COMPLAINTS 21

POLICY REVIEW 21
1. SCOPE

This Lettings Policy covers the permanent letting of Cairn Housing Association’s (The Association) social housing stock by SST or SSST.

It does not cover letting of:

- Tenancies by occupancy agreement
- Mid or full market rental properties agreements
- Decant accommodation,
- Garages or commercial properties,
- Shared ownership or Shared equity,

These are subject to separate policies and procedures.

Mutual Exchanges, which represent an alternative route to housing, are also out-with the scope of this Policy and are included in the Tenancy Changes Policy.

2. POLICY AIMS & OBJECTIVES

The Policy aims to:-

- Provide good quality, affordable accommodation on a fair basis for people in housing need.
- Work with local authorities to alleviate homelessness
- Work in partnership with local authorities, registered social landlords, voluntary organisations and other agencies to create and maintain balanced stable communities.
- Ensure applicants assessed as being in most housing need are prioritised
- Comply with all relevant legislation

This Policy will establish standards for allocating our properties. It provides a framework within which guidelines and procedures will be implemented; these will be used in the admission of applicants to the housing list and in the letting of properties.

3. GENERAL PRINCIPLES

3.1 Legislation, Guidance and Good Practice

In formulating the policy we have taken account of the 2014 Act amended section 20 of the 1987 Act that sets out three categories of applicants who should be given reasonable preference in a Lettings Policy. These are:

- homeless persons and persons threatened with homelessness and who have unmet housing needs;
- people who are living under unsatisfactory housing conditions and who have unmet housing needs; and
• tenants of houses which are held by a social landlord, which the social landlord selecting its tenants considers to be under occupied.

3.2 Consultation and Publicity

The Housing (Scotland) Act 2014 requires that we prepare and publish a report on the consultation carried out during the development of the lettings policy. We will consult with applicants on the housing list; • tenants • registered tenant organisations and • other such relevant persons. We will take appropriate action to publicise our services to ensure the applications we receive reflect housing need.

3.3 Access to Information

All information provided in connection with an application will be treated as confidential. We will comply with the requirements of legislation and voluntary arrangements in accordance with GDRP regulations.

Right to personal information detailed in Housing (Scotland) Act 1987
Any information we hold regarding an individual will be treated lawfully and correctly in line with the Data Protection Act 2018.

This Policy and its implementation is covered by the Freedom of Information (Scotland) Act 2019 when implemented in Nov 2019.

Further information is available by viewing our Privacy Policy & Data Sharing Policy.

3.4 Equality and Diversity

All applicants have their individual needs recognised, they will be treated fairly and with respect and receive fair access to housing and housing services.

3.5 Lettings to Staff and Board

All applicants will be asked to state whether they are related to any current or former member of staff or Board. This will ensure that we comply with the statutory requirements regarding the granting of benefits to current or former members of staff or committee, or their relatives as defined by the Regulatory Standards /code of conduct. All lettings will be subject to Board approval.

3.6 Audit

An audit trail of the decision making process will be maintained. All application forms will be double checked, and all offers of housing approved by Area Housing Manager.

3.7 Reporting

Lettings Information will be reported to The Board as required.
Ethnic and disability monitoring will be recorded for statistical monitoring purposes for all applicants and nominations for and lettings to our properties. Information will be kept confidential and will not form part of the lettings process.

3.8 Review

This Policy and related appendices will be reviewed on a regular basis every 3 years, to ensure that the Aims and Objectives are being achieved, and that best use is being made of current housing stock.

We reserve the right to change or amend the policy, subject to approval of the Board, and to re-assess the status and priority of applicants as required.

3.9 Information and Advice

A copy of the Lettings Policy will be available for download from our website. A copy of the Policy can be viewed at any of our offices or if requested sent to an applicant’s address at no charge.

This Policy can be made available in alternative formats on request such as audio, large print, Braille or community languages.

Applicants can request a meeting with a member of staff to discuss their application and may bring a friend, relative or advisor. Applicants can seek information, advice and support with housing options. Where appropriate we may signpost the applicant to sources of independent advice and information.

4. ROUTES TO HOUSING

4.1 Direct Application

In locations where we are not a member of a Common Housing Register, applications for housing should be made on a Cairn application form or online. On receipt of a completed application form, relative housing need will be assessed on the basis of our points system. The application will then be placed on the appropriate location list.

4.2 Common Housing Registers

It is aim of our Policy, where feasible, to become an active participant in (CHR) in areas where we have housing.

A CHR enables people to apply for affordable rented housing by completing just one application form and to receive information and advice about their current housing options; tenants are selected from a single pool of applicants being considered for housing by partner providers with housing stock covered by the CHR. Where we enter into a CHR, we will not hold our own housing list. We will allocate our housing in accordance with the common arrangements agreed, which may
include the ability to enter into a common lettings policy with partner providers, applicable to the local area in question.

The agreement of the Board will be sought for any local amendment required to this Lettings Policy as a result of entry into a CHR.

**Common Housing Register Membership**

Cairn is a partner in the following CHRs:

<table>
<thead>
<tr>
<th>Name:</th>
<th>EdIndex</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area Served:</td>
<td>City of Edinburgh local authority area</td>
</tr>
<tr>
<td>Nature/Degree of involvement:</td>
<td>Cairn is a full partner</td>
</tr>
<tr>
<td>Applications are made on a common application form, and allocations are made through a Choice Based Lettings system.</td>
<td></td>
</tr>
<tr>
<td>The partner providers share a common definition of overcrowding, that is slightly different to Cairn’s own Allocations Policy but which we have agreed to for the purposes of consistency and simplicity.</td>
<td></td>
</tr>
<tr>
<td>Board approval:</td>
<td>July 2003</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name:</th>
<th>Borders Choice Homes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area Served:</td>
<td>Scottish Borders local authority area</td>
</tr>
<tr>
<td>Nature/Degree of involvement:</td>
<td>Cairn is an associate partner.</td>
</tr>
<tr>
<td>Applications are made on a common registration form, and prioritised according to passes, rather than points, via a common assessment process. Eildon HA is the registered gatekeeper for all applications.</td>
<td></td>
</tr>
<tr>
<td>Board approval:</td>
<td>February 2005</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name:</th>
<th>Highland Housing Register</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area Served:</td>
<td>The Highland Council local authority area</td>
</tr>
<tr>
<td>Nature/Degree of involvement:</td>
<td>Cairn is a full partner</td>
</tr>
<tr>
<td>Applications are made on a common application form and pointed according to a Common Allocation Policy.</td>
<td></td>
</tr>
<tr>
<td>Board approval:</td>
<td>20 March 2008</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name:</th>
<th>North Lanarkshire Common Housing Register</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area Served:</td>
<td>The North Lanarkshire Council local authority area</td>
</tr>
<tr>
<td>Nature/Degree of involvement:</td>
<td>Cairn is a full partner</td>
</tr>
<tr>
<td>Applications are made on a common application form and pointed according to each Registered Social Landlords’ Allocations Policy.</td>
<td></td>
</tr>
</tbody>
</table>
Currently four RSL’s have adopted the North Lanarkshire Allocation Policy: Cairn, West of Scotland, Clyde Valley and Sanctuary Housing Group.

**Board approval:** October 2008

**Name:** Home Argyll

**Area Served:** The Argyll and Bute Council local authority area

**Nature/Degree of involvement:** Cairn is an associate partner

Cairn’s details are included on the Home Argyll web site and applications can be submitted on the CHR application form. Cairn do not access the Home Argyll IT database and will operate a 100% nominations arrangement.

**Board approval:** 31 August 2009

**Name:** Fife Common Housing Register

**Area Served:** The Fife Council local authority area

**Nature/Degree of involvement:** Cairn is an associate partner

Applications are made on a common application form and pointed according to each Registered Social Landlords’ Allocations Policy.

**Board approval:** April 2019

Cairn is actively involved in Rapid Rehousing Transition Plan Steering Groups with a number of other RSLs and Local Authority Partners to assist in progressing the RRTP actions and to help shape and influence future service provision across all services.

### 4.3 Choice Based Lettings

We advertise a number of properties throughout Scotland using a choice based lettings arrangement with another RSL or Local Authority. One of the key features of CBL schemes is we can publish the outcomes of the bidding process. This helps applicants to understand how likely they are to be successful when they bid in future. The type of information landlords provide includes: • the number of bids made for individual properties; • which groups were successful; and • the frequency of properties becoming available by area and type.

### 4.4 Nominations

Where such arrangements exist, we will assist the local authority in its contractual duties by entering into a nomination arrangement for a percentage of our empty properties each year. This percentage may be increased in specific areas at our discretion.

Where nominations are requested from the local authority but no suitable nominees are forthcoming within agreed timescales, we reserve the right to let from our own housing list.
4.5 Homelessness

Section 5 of the Housing (Scotland) Act 2001 provides a statutory mechanism for local authorities to refer applicants with a homeless assessment to us for letting of our forthcoming empty houses.

We will fulfil our statutory duty to comply with agreed quotas and requests from local authorities to re-house households assessed as statutorily homeless and will not refuse a referral without good reason.

We will, where appropriate, enter into formal arrangements with local authorities and other partner landlords, often known as homeless protocols, to assist the local authority in effective discharge of its statutory obligations. This may include the provision of furnished or unfurnished temporary accommodation for persons under homeless assessment.

4.6 Management Agreements

We reserve the right to enter into agreements with other voluntary and statutory agencies regarding our properties to enable direct letting of these to specific needs groups.

Such agreements may include but are not limited to Management Agreements where an arrangement is entered into with the agency to address specific needs; Nomination Arrangements where the agency refers a client for housing and provides the appropriate support; and Lease Agreements where the agency leases a property from us to deliver a supported accommodation service. These agreements are subject to regular review as stated in their individual terms.

4.7 Transfers

We will accept applications for transfers from existing tenants. A tenant wishing to transfer must satisfy the eligibility criteria for the type of housing applied for. It addresses the preferences of existing tenants and this is important as preferences are a form of housing need. For example tenants with no housing need points.

Transfer applications will be considered for one in every three allocations.

5. ACCESS TO HOUSING AND HOUSING TYPES

5.1 Open Housing Lists

Any applicant aged 16 or over is entitled to apply and be admitted to a housing list held by us at any time, subject to meeting the eligibility criteria. This is in accordance with the Housing (Scotland) Act 2001.
5.2 General Needs Housing

This type of housing is available to any person 16 years of age and over, who have no special needs that have to be met by features of the layout, fixtures, fittings or location of their home.

5.3 Medium Dependency Housing

This type of housing is design based on the standards of general needs housing but with the addition of other features of the sheltered housing definition. The age criteria for medium dependency housing is 50 years of age or older.

5.4 Sheltered Housing

This type of housing is where the main form of support is a warden service and/or an emergency alarm call service, connecting each property to a warden service.

The support service is usually provided by local authority staff or other recognised provider in accordance with the terms of a service level agreement with Cairn as landlord.

The age criteria for sheltered housing is 60 years of age or older. Younger people with a disability (whether registered or not) may be accepted if it is considered that through disability they would benefit from a Support Service.

This service provision is delivered in 5 locations:

- Lochbreae Court
- Abbotsford Court
- Cluny Court
- Dewar Court
- Nigel Henderson Court

5.5 Very Sheltered Housing

This type of housing has generally all the features of sheltered housing and will usually have special bathroom facilities. Also a greater level of care and support will be offered through a range of staff and the provision of at least one meal per day.

This service provision is delivered in 1 location:

- Madelvic Square, Edinburgh.

This service aims to allow people to live in a supported but independent environment within community settings. Housing Support is complemented by advanced telecare technology, enabling a wide range of particular needs to be accommodated.

The age criteria for very sheltered housing is 60 years of age or older. Younger people with a disability (whether registered or not) may be accepted if it is considered that through disability they would benefit from a Support Service.
5.6 Wheelchair Housing

This type of housing is built or adapted to give extra floor area, whole house heating, special features in the bathroom and kitchen and other.

5.7 Ground Floor Housing

Priority may be given to persons with mobility difficulties or medical requirements benefiting from level access accommodation, where a specific need has been assessed. Medical evidence may be required.

5.8 Property Size

We will, at the point of allocation, accommodate the household in a property that meets their bed space requirements.

We will seek to better these by application of the following standards:

- two children of different sex can share a bedroom provided they are both 6 years and under.
- two children of the same sex can share a bedroom provided the age difference is 4 years or less.

5.9 Access and Custody Arrangements

For the purposes of assessing property size required, one additional bedroom can be requested for access or custody requirements over and above what is required for permanent members of the household regardless of the number of children to whom access or custody applies; this will not be dependent upon the length of time the child stays with the applicant.

6. ASSESSMENT OF APPLICATIONS

6.1 Local Lettings – Initiatives

We may enter into lettings arrangements with the local authority and/or other Registered Social Landlords. Any local amendments to this Lettings Policy which may be required can be implemented after receiving the agreement of the Board.

6.2 General

Properties will be allocated on the basis of housing need therefore no account will be taken of the following:

- length of time resident in the area
- tenancy related debts (related to current or former tenancies):
  - for which the applicant has no legal responsibility
  - which no longer exist
• where the amount outstanding is less than one month’s rent
• where a repayment arrangement has been made and agreed with the landlord, in accordance with which payments have been made for at least 3 months and payments are continuing
• non tenancy debts
• income of the applicant and his/her family
• ability to pay
• the age of the applicant provided that the applicant is 16 years of age or over except in the allocation of:
  (a) houses which have been designed or substantially adapted for occupation by persons of a particular age group;
  (b) houses to persons who are, or are to be, in receipt of housing support services (within the meaning of section 91 of the 2001 Act) for persons of a particular age group.

6.3 References

We reserve the right to seek references for all tenancies held over the last three years from the current/former landlord, support providers and Social Work with the applicant’s permission, regarding the conduct of the present or previous tenancy. If the applicant is or has recently been a homeowner, we reserve the right to seek non-personal references from the mortgage lender, with the applicant’s permission, regarding payment record. In accordance with GDPR Regulations.

Any costs incurred in obtaining references will be borne by the applicant.

6.4 Points Award

Housing needs will be assessed and prioritised using a points system. Points will be awarded on the basis of the applicant’s existing housing situation and personal housing need.

Within any one category, only one set of points will apply, and the highest points applicable will be awarded where more than one criterion applies.

If an application is received from a household living apart and points are applicable to more than one household member, they will be awarded on the basis of whichever household member is in highest housing need, at the point of allocation.

An award of zero points does not necessarily mean that an applicant is unlikely to be housed as this will depend on relative demand at the point a property is allocated.

6.5 Overcrowding

Overcrowding will be assessed according to the total number of persons in the present accommodation measured against the total number of bedrooms and bedspaces required. This includes applicants in studio accommodation.

For the avoidance of doubt, current tenants of Cairn or of other social sector rented housing, living in 1 person/1 apartment bedsit flats that have been specifically
designed with a bed-space, will not receive points for over-crowding as they are defined as adequately housed.

If the applicant’s household is split because of insufficient room in the present accommodation, all members of the household who wish to be re-housed together will be included as if in the main accommodation for the assessment of overcrowding.

6.6 Under Occupation

Under occupation will be assessed according to the total number of persons in the present accommodation measured against the total number of bedrooms and bedspaces required.

6.7 Armed Forces Covenant

Insecurity of tenure points will be added 6 months prior to discharge and remain for 6 months after where permanent accommodation has not been secured. A copy of discharge notice is required for allocation of points.

6.8 Priority Points: Exceptional Circumstances

Priority points may be awarded where an application, due to particular exceptional circumstances, cannot be adequately assessed via the available points criteria. The award of Priority Points will be made by the Area Housing Manager where there is independent evidence provided of the applicant’s circumstances which supports the need to move from their current property. The Board will be advised quarterly of the number of lettings made utilising priority points.

Points Award Table

<table>
<thead>
<tr>
<th>EXISTING HOUSING SITUATION</th>
<th>PERSONAL DETAILS</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>TENURE AND SECURITY – Homelessness</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Homeless</td>
<td></td>
<td>150</td>
</tr>
<tr>
<td>Applicants who are assessed by the local authority and determined to be homeless are entitled to permanent accommodation as defined by current legislation and associated guidance, such that the local authority has a duty to secure permanent housing for them.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Insecurity of Tenure</td>
<td></td>
<td>50</td>
</tr>
<tr>
<td>Applications from people living in insecure accommodation will be awarded points based on their circumstances. Applicants who are homeless or threatened with homelessness can apply for housing through the council’s homelessness policy which includes advice and assistance.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Insecurity of accommodation covers a range of situations, including applicants who live in:
- private sector accommodation with limited security
- tied accommodation
- Armed Forces personnel
- people of no fixed abode

**Armed Forces Personnel**
Insecurity of tenure points will be added 6 months prior to discharge and remain for 6 months after where permanent accommodation has not been secured. A copy of discharge notice is required for allocation of points.

### CONDITION OF PROPERTY

<table>
<thead>
<tr>
<th>Condition</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>In need of substantial or extensive repairs e.g. with structural defects, not wind and watertight or unsafe services.</td>
<td>30</td>
</tr>
<tr>
<td>Poor state of general maintenance e.g. poor internal fittings, internal joinery or plasterwork (where not the applicant’s responsibility).</td>
<td>15</td>
</tr>
</tbody>
</table>

**Lack of Facilities**

- No Piped Water Supply
- No Hot Water Supply to Kitchen
- No Hot Water Supply to Bathroom
- **More than one set of points can be awarded in this section**
- No Inside Toilet
- No Bath or Shower
- No Kitchen/Cooking Facilities

**Heating**

- No Fixed Heating, i.e. Portable Heaters Only.
- Fixed Heating to Some but Not All Rooms

**Overcrowding, Under-occupation and Shared Facilities**

- **Overcrowding:** Points will be awarded in accordance with the Allocations Policy for each bedroom required
- **Under-occupation:** Points will be awarded in accordance with the Allocations Policy for each bedroom above the number required.
- Shared Facilities: Household does not have exclusive use of facilities, for example, sharing one or a combination of living-room, kitchen, and bathroom with other households.

### PERSONAL HOUSING NEEDS

**Domestic Abuse**
Points will be awarded where the applicant or member of the applicant’s household is at risk of physical, emotional, sexual or financial abuse from for example, another household member, or ex-partner.  

<table>
<thead>
<tr>
<th>Harassment</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Points will be awarded where the applicant or a member of the applicant’s household is suffering harassment or violence, e.g. continuous physical abuse, serious verbal or written abuse, which is associated with their current accommodation and would be alleviated by re-housing, other than where points have been awarded because of domestic abuse:</td>
<td></td>
</tr>
<tr>
<td>Where immediate re-housing is required to ensure safety.</td>
<td>150</td>
</tr>
<tr>
<td>Other cases.</td>
<td>30</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Care or Support</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Where an applicant or member of their household needs to <strong>move</strong> to be able to provide or receive care or support, e.g. to care for infirm, elderly or vulnerable family members or due to personal infirmity, vulnerability or age.</td>
<td>15</td>
</tr>
<tr>
<td>Must clarify frequency of care/support and distance travelled to provide/receive and how moving would impact this.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Medical</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical needs will be assessed on the basis of a self-assessment form. However, the Association may seek expert opinion from an independent medical assessor, and may do so as part of local schemes for common health assessment, whether part of a Common Housing Register or not.</td>
<td></td>
</tr>
<tr>
<td>Additional costs involved in seeking expert opinion will be borne by the applicant. Where the Association is part of a local arrangement for assessing medical needs, the following will not apply, except in so far as it represents the general principles which should underline any local arrangement.</td>
<td></td>
</tr>
<tr>
<td>Points will be awarded ONLY where it is clear that re-housing of the applicant or the member of their household would improve or alleviate the health condition or improve or prevent determination in their ability to function independently. Health condition refers to both physical and mental health.</td>
<td></td>
</tr>
<tr>
<td><strong>Points will be awarded based on whether the Association determines the potential impact of re-housing on medical condition or ability to function independently, to be:</strong></td>
<td></td>
</tr>
<tr>
<td>Substantial</td>
<td>50</td>
</tr>
<tr>
<td>Slight</td>
<td>25</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Management Priority</th>
<th></th>
</tr>
</thead>
</table>
Exceptional Circumstances as determined by the Association within the Lettings Policy.

6.9 Time in Need

Where two applicants have the same point’s award, the earliest date of application will determine priority.

6.10 Care and Support Assessment

An additional Care and Support Assessment is required for:

- Madelvic Square

6.11 Additional/Alternative Local Assessments

Additional or alternative local assessments in conjunction with, for example, the local authority, social work or health board may be required. For example, where in our view an applicant is vulnerable and may require assistance or support in order to sustain a tenancy, a Community Care or Housing Support Assessment may be required in order to ensure sufficient support mechanisms are in place.

7. PRE - TENANCY VISITS

We will meet with applicants prior to making an offer of housing, in order to assess the housing circumstances and to offer support to ensure the prospective new tenant understands their responsibility to pay rent and keep to their tenancy conditions, along with the implications of not doing so.

The type of support offered is wide ranging and may include:
- helping with welfare-benefit applications in order to prevent a delay in the payment of the housing element of Universal Credit;
- providing or signposting to money advice and welfare benefit checks; and
- on going housing management support to sustain tenancies.

8. SUSPENSION OF AN APPLICATION

8.1 General

In accordance with the requirements of the Housing (Scotland) Act 2001 to assist in the housing of homeless households, Section 5 referrals may be considered out-with the stated suspension criteria.

8.2 Period of suspension

Suspensions can be put in place for a period between 6 -12 months at a time, after which the application will be reviewed. The suspension will not be renewed if the
conditions leading to it no longer apply. Further detail regarding the suspension of applications and the time-scales imposed for different circumstances i.e. - are contained within Appendix 3. Statutory suspensions will not exceed three years.

An applicant suspended from receiving an offer of housing will be notified in writing of the reasons for the suspension, the length of time and how they can appeal.

**Suspension reasons and circumstances where a suspension will apply**

In certain circumstances it may be appropriate to suspend an application for housing for a period of time. Where applications have been suspended applicants will not be considered for or receive an offer of housing during the period of suspension.

A suspension will not affect an applicant’s points level and housing options advice will be given after first offer.

<table>
<thead>
<tr>
<th>Suspension reason</th>
<th>Suspension timescale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Antisocial behaviour by an applicant or a member of their household annoyance, harassment, violent or intimidating behaviour towards staff, neighbours or others. Evidenced by a Notice of Proceedings</td>
<td>Up to 36 months</td>
</tr>
<tr>
<td>2. Tenancy Related Debt suspensions will be applied where the applicant has rent arrears or other tenancy related debt and an arrangement to pay the outstanding debt has not been made or has not been in place for a three month period.</td>
<td>Up to 36 months</td>
</tr>
<tr>
<td>3. Breach of Tenancy Conditions unsatisfactory condition of property, wilful damage, vandalism, no control of pets. Evidenced by a Notice of Proceedings</td>
<td>Up to 36 months</td>
</tr>
<tr>
<td>4. Fraud, false or misleading information Where the applicant has deliberately misrepresented Information in order to gain advantage over other applicants in housing need.</td>
<td>Up to 36 months</td>
</tr>
<tr>
<td>5. Refusal of second offer of housing Suspension applied when applicant has refused second reasonable offer made in accordance with applicant’s preferences. Housing options advice will also be offered.</td>
<td>6 months</td>
</tr>
</tbody>
</table>


9. REVIEW AND CANCELLATION OF AN APPLICATION

All applications for housing will be subject to periodic review which will also take place at the point of let.

An application will be removed from the housing list only:
- at the request of the applicant
- on the death of the applicant
- where the applicant has failed to respond to two letters, and has failed to respond to the annual review with good cause.

All applicants who contact us within six months of their application being cancelled will have their original application form re-instated. The date of registration will be based on their original application. Applicants may be required to complete a new application form if circumstances have changed.

10. LEGAL ACTION FOR RECOVERY OF TENANCY

If a tenancy is granted and is found to have been allocated on the basis of false and misleading information, we will take legal steps to recover the tenancy.

11. APPEALS

All applicants have the right to appeal if they feel they have been unfairly treated under the terms of this policy.

Appeals may be made under the following types of circumstances:

- the applicant thinks the priority awarded is not a fair reflection of their housing needs.

- they think the landlord has applied an unfair suspension or unreasonably cancelled their application.

- the applicant thinks they have not been made a reasonable offer

We operate a two stage appeals process for our decisions. Applicants 1st stage of appeal will be to the Area Housing Manager, if an applicant remains unhappy the second stage will be an appeal to a member of the Senior Management Team. This decision is final.

Applicants with homeless status will appeal any decision regarding their homeless status to the relevant local authority to determine its reasonableness.
12. COMPLAINTS

If you are dissatisfied with any aspect of the service, you have the right to make a complaint. We operate a 2 stage complaints process in line with the SPSO model complaints handling process. Refer to complaints policy and procedure for further details.

13. POLICY REVIEW

This Policy will be reviewed on a 3 yearly basis with tenant consultation forming part of the review process.