



# Durham Key Options

Your first choice for housing  
in County Durham

## Letting Policy

Version 2.6 – May 2023

# Equality and diversity

All Durham Key Options documents can be provided in large print, audio tape or CD, electronically via email or in Braille. We can also provide an induction loop, BSL interpreter, same-gender interview or home visit if required.

If you would like us to provide this information in your first language or would like us to provide a translator and meet you to discuss its contents, please contact us on the relevant Durham Key Options phone number as listed below. We can also provide same-gender interviews and home visits in County Durham when needed.

## Punjabi

ਜੇਕਰ ਤੁਸੀਂ ਇਹ ਚਾਹੁੰਦੇ ਹੋ ਕਿ ਇਹ ਜਾਣਕਾਰੀ ਅਸੀਂ ਤੁਹਾਨੂੰ ਤੁਹਾਡੀ ਮਾਤਰ ਭਾਸ਼ਾ ਵਿੱਚ ਪ੍ਰਦਾਨ ਕਰੀਏ ਜਾਂ ਤੁਸੀਂ ਚਾਹੁੰਦੇ ਹੋ ਕਿ ਤੁਹਾਨੂੰ ਇਕ ਅਨੁਵਾਦਕ ਪ੍ਰਦਾਨ ਕੀਤਾ ਜਾਵੇ ਅਤੇ ਤੁਹਾਡੇ ਨਾਲ ਮਿਲਕੇ ਇਸਦੇ ਵਿਸ਼ਾ ਵਸਤੂ ਤੇ ਚਰਚਾ ਕਰੋ, ਕਿਰਪਾ ਦੁਰਹਮ ਕੀ ਐਪਸ਼ਨਸ (Durham Key Options) ਦੇ ਹੇਠ ਲਿਖੇ ਟੈਲੀਫੋਨ ਨੰਬਰਾਂ ਤੇ ਸੰਪਰਕ ਕਰੋ। ਅਸੀਂ ਲੋੜ ਪੈਣ ਤੇ ਕਾਉਂਟੀ ਦੁਰਹਮ (County Durham) ਦੀ ਹੱਦ ਵਿੱਚ ਘਰ ਮੁਲਾਕਾਤ ਕਰ ਸਕਦੇ ਹਾਂ ਅਤੇ ਸਮਲਿੰਗ ਨਾਲ ਮੁਲਾਕਾਤ ਕਰਵਾ ਸਕਦੇ ਹਾਂ।

## Bengali

আপনি যদি উপরে দেওয়া বিবরণ নিজের ভাষায় পেতে চান বা আপনি যদি একজন দোভাষীর দ্বারা এই বিষয় আলাপ করতে চান তবে দয়া করে নিচে দেওয়া ডারাম টেলিফোন নম্বরের তালিকা থেকে নম্বার বেছে নিয়ে আমাদের সাথে যোগাযোগ করুন। দরকার হলে আমরা শূধু পুরুষ বা মহিলা দ্বারা আপনার সাথে আলাপ করতে পারি এবং কাউন্টি ডারাম এলাকায় বসবাসকারী হলে আমরা আপনার ঘরে এসে আলাপ করতে পারি।

## Hindi

यदि आप चाहते हैं कि हम आपको आपकी मातृभाषा में सूचना प्रदान करें, या आप एक अनुवादक चाहेंगे जो आपके साथ सूचना के बारे में चर्चा कर सकें, तो कृपया हमें नीचे दिये गये उचित Durham Key Options टेलीफोन नम्बर पर सम्पर्क करें। यदि आवश्यकता हो तो हम County Durham के भीतर समान लिंग के व्यक्तिद्वारा इंटरव्यू के अलावा आपके घर आकर भी बातचीत कर सकते हैं।

## Cantonese

如果你需要此資訊的其他語言版本，或者你需要一名翻譯工作人員與你一同探討此資訊的內容，請通過杜倫郡以下相關號碼聯絡我們。如果需要，我們還可以安排同性別的工作人員與你訪談，以及杜倫郡內家庭拜訪。

## Mandarin

如果您需要此資訊的其他語言版本，或者您需要一名翻譯工作人員與您一同探討此資訊的內容，請通過杜倫郡的以下相關號碼聯絡我們。如果需要，我們還可以安排同性別的工作人員與您訪談，以及杜倫郡內家庭拜訪。

## Polish

Jesli potrzebujesz aby ta informacja zostala udostepniona w jezyku polskim lub jesli potrzebujesz tlumacza, ktory moglby sie z Toba spotkac i omowic tresc tej informacji, skontaktuj sie z nami wybierajac odpowiedni numer telefonu z dostepnych opcji ponizej. Jesteśmy w stanie zapewnić też rozmowę z osoba tej samej płci oraz wizytę domową w obszarze Durham.

## French

Si vous desirez recevoir ces informations dans votre langue maternelle ou si vous souhaitez que nous vous procurions un traducteur pour vous rencontrer et en discuter le contenu, veuillez nous contacter en selectionnant l'indicatif correspondant a Durham, parmi les options des numeros de telephone indiqués ci-dessous. Nous pouvons en outre, organiser des entrevues avec une personne de meme sexe ainsi que des visites a domicile dans le comte de Durham quand cela est requis.

## Arabic

ن أردت الحصول على هذه المعلومات بلغتك الأم أو إن أردت وجود مترجم لمناقشة هذه المعلومات فيمكنك الاتصال على رقم الهاتف الموجود أدناه الخاص بخدمات مدينة درم. يمكننا أيضاً تأمين مقابلات مع أشخاص من نفس جنسك كما يمكننا ترتيب زيارات منزلية ضمن مدينة درم إن احتاج الأمر لذلك

## Urdu

اگر آپ چاہتے ہیں آپ کو یہ معلومات آپ کی اپنی زبان میں فراہم کی جائیں یا آپ کو ایک مترجم کی ضرورت ہے جو آپ سے مل کر اس کے مندرجات پر گفتگو کرے تو آپ نیچے دی گئی ڈرہم ٹیلیفون نمبر سے رابطہ قائم کریں۔ ہم آپ کو آپ کی جنس کے مطابق عورت یا مرد مترجم بھی مہیا کر سکتے ہیں۔ ڈرہم کاؤنٹی میں ضرورت پڑنے پر گھر بلو دورے بھی کیے جاسکتے ہیں۔

believe housing 0300 1311 999

Karbon Homes 0808 164 0111

Livin 0800 587 4538

North Star Housing 03000 11 00 11

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## 1. Definitions

<u>Application date</u>	Your application date is the date we receive your completed application form. But if you had registered with one of our partner landlords before we began operation in 2008-09, you keep your original application date.
<u>Bands</u>	These are categories of housing need that make up the system we use to show the level of priority that applicants have on our housing register.
<u>Bidding</u>	This is the way you express an interest in an advertised property. No money is involved in this form of bidding.
<u>Common Travel Area</u>	This area is made up of the United Kingdom, Channel Islands, the Isle of Man and the Republic of Ireland.
<u>Choice based lettings</u>	Choice based letting (CBL) is a way of letting properties that allows you and other applicants to see the number and type of properties available. You bid for properties you are interested in, and everyone can see how many bids were made and what band the successful applicant was in.
<u>Housing register</u>	Our housing register is a list of everyone seeking housing with our partner landlords.
<u>Letting Policy</u>	All our partner landlords have a shared set of rules on how properties will be advertised and let. This is our letting policy.
<u>Direct Offer</u>	In exceptional circumstances we may offer a property to an applicant without requiring a bid – this is called a direct offer or a direct let. For openness, the property will still appear in our weekly advertising, but other applicants will not be able to bid for it.
<u>Housing Solutions team</u>	This team offers advice and help on housing options and homelessness and aims to prevent homelessness.
<u>Local Authority</u>	For our scheme, the local government authority is Durham County Council.
<u>Local Letting Policy</u>	This is a policy that takes account of local circumstances, for example the shortage of affordable housing in rural areas.
<u>Affordable home ownership</u>	This is a scheme to enable home seekers who cannot afford to buy a property on the open market to get onto the property ladder by part-renting and part-buying, usually with a registered provider.
<u>Nomination agreement</u>	This kind of agreement says how the local authority and registered providers must co-operate and work in partnership to help people in housing need and to prevent homelessness.
<u>Priority date</u>	This is the date when a person is given additional priority, which will be later than their application date.
<u>Reasonable preference</u>	The Housing Act uses this phrase to describe the kind of priority a local council should give to certain types of housing need.

Registered providers

These are social landlords registered with the Homes and Communities Agency to provide social housing. Most are housing associations, but some are registered charities, companies, trusts and co-operatives.

Tie-breaker

We use a tie-breaker to decide which of 2 applicants with equal priority will get our offer of a property.

we, Durham Key Options (DKO)

This means the partner organisations that provide a single advertising scheme for housing across County Durham.

you, the applicant

This means a person applying or wishing to apply for housing with Durham Key Options.

Any references in this policy to a numbered section means a section of this policy unless stated otherwise.

## 2. Introduction

### What is the letting policy for?

This document sets out the Durham Key Options choice-based letting scheme. This means it is our letting policy, so it reflects Durham County Council's letting policy.

We use the policy to let properties to people who are eligible for and qualify to join our housing register.

Durham Key Options is a partnership between:

- believe housing
- Durham County Council
- Karbon Homes
- Livin, and
- North Star Housing

### Statement of Choice

We are committed to:

- Enabling applicants to be active in choosing where to live, and
- Letting homes to people in greatest need

The choice-based lettings scheme enables people to have access to a range of homes in County Durham. The scheme also enables us to nominate people from our housing register to various options offered by registered providers and Durham County Council. These options may include private sector rented properties, low-cost home ownership, mutual exchange and mobility schemes. This increases the choice and availability of housing.

### Equalities statement

We are committed to including equality in everything we do. This includes eliminating unlawful discrimination, promoting equality of opportunity and access, and valuing diversity in delivering our services and in our employment practices.

When making decisions about employing staff, we will consider equality and diversity. We will also consider the broader impact of access to employment on community cohesion and social inclusion.

In preparing this policy, we carried out an equality impact assessment and will continue to keep its results under review.

### The policy's aims and objectives

Our aims and objectives are:

- to provide a housing letting system which is easily understood and accessible to all, which covers all types of tenure (such as renting and shared ownership), and which enables people to make choices about where they want to live
- to increase mobility across all tenures, for example through tenancy exchanges and by helping people to switch from renting to shared ownership
- to provide housing options including low-cost or shared ownership, and tailored advice, along with access to registered providers' and private landlords' properties



- to ensure a more effective use of housing across County Durham
- to provide mixed, cohesive and sustainable communities through choice and housing options
- to provide accurate information on lettings across County Durham to highlight future priorities for development and investment, and to provide better information for strategic planning
- to increase the overall supply of properties and therefore help authorities to meet their statutory housing duties
- to help make savings on lettings by improving efficiency across County Durham.
- to help prevent homelessness by operating a housing register and by taking a thorough and robust approach to offering housing options
- to help people in hardship and vulnerable people, including older people and those with a disability requiring additional support
- to build effective partnerships across all the region's housing sectors – statutory, voluntary and private, and
- to build community cohesion while enabling housing applicants to have choice in where they live.

### **3. Legal context of the policy**

#### **Letting policy**

#### **Reasonable preference**

The law says we must give reasonable preference to 5 groups of applicants:

- People who are homeless within the meaning of Part VII (7) of the Housing Act 1996, as amended by the Homelessness Act 2002.
- People who are owed a duty by any local housing authority under section 190(2), 193(2), or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985 or who are occupying accommodation secured by any housing authority under section 192(3)).
- People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- People who need to move on medical or welfare grounds.
- People who need to move to a particular locality in the authority's district, where failure to meet the need would cause hardship to themselves or others.

#### **Additional preference**

Section 166A(3) of the Housing Act 1996 gives housing authorities the power to create an allocation scheme that gives higher priority to particular kinds of people who fall within the statutory reasonable preference categories and who have urgent housing needs.

Our letting policy allows us to give higher priority to:



- applicants who are severely overcrowded, and
- applicants who need to move for urgent medical reasons.

We will give an even higher priority to applicants in these 2 groups if they have a prescribed connection to the armed forces. This connection can be through any of the following 3 categories:

- Applicants discharged from the regular UK armed forces within the previous 5 years and who have served 3 years or more or been medically discharged (except people dishonourably discharged).
- Current members of the UK armed forces, and current or former (previous 5 years) reserve forces, who have suffered an injury in service that makes their current home unsuitable.
- Widows, widowers or civil partners of UK armed forces members killed during service and needing to leave armed forces accommodation.

Our policy ensures that we award priority to applicants in these preference groups.

#### **4. Applying for a house – our housing register**

We operate a combined housing register between all partners. You need only make one application to the scheme to be able to bid on all homes suitable for your needs that are advertised by our partner landlords.

Your date of application will be the date we receive your completed application form. If you had registered with a partner landlord before we began operation, that original date of application will apply.

##### **How to apply and who to contact**

You can apply by sending us a fully completed Durham Key Options application form through the post or online, in a partner landlord's housing office, or during a home visit if appropriate.

##### Help and contact details

You can get help to apply. You can find contact details for all partner landlords by:

- Looking at the Durham Key Options website ([www.durhamkeyoptions.co.uk](http://www.durhamkeyoptions.co.uk)) under the Additional Information tab

##### **Who can apply?**

We will consider applications from people aged 16 years and over who send us a fully completed Durham Key Options application form.

On your application form you must declare whether you or someone in your household is a board member, councillor, or employee of any of our partner landlords or a close relative of theirs.

##### **Verifying the information you provide**

We will need to check what you tell us about your circumstances at the time of application and when we make an offer of housing. Our check will include the following:

- A full housing history for the last 6 years, which we will check for any housing-related debt, for example rent and mortgage arrears, and for unacceptable behaviour, eviction etc.
- Proof of residency where possible (for example utility bill, letter from the person you are staying with). If this is not possible, we will consider each case on its own merit.

- Evidence of your immigration status if you are not normally resident in the UK or have come to the country from abroad.
- Proof of income, so we know you can afford the size of home we offer you.
- We may seek such references and statements from former landlords and mortgage providers as we think necessary to show you are suitable to receive a housing offer.
- Proof of joint custody, if you would like to be considered for a larger property than your household make-up would normally make necessary.
- Proof of pregnancy to show the need for an extra bedroom where applicable.
- Proof of fostering or adopting status, if you would like to be considered for a larger property than your household make-up would normally make necessary.
- Proof that you and your partner cannot share a bedroom for medical reasons.
- Proof that 2 of your children cannot share a bedroom for medical reasons.
- Proof of an overnight carer from outside the household, if you need us to consider you for a larger property to accommodate the carer.

### **Who is eligible for social housing?**

Anyone over 16 who needs help to find affordable housing in County Durham can apply to join our register. There are some exceptions, as follows.

The following groups are eligible for an allocation of Social Housing as per The Allocations of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2021 (SI 2021/665):

- Those who have leave to enter or remain in the UK under Appendix Hong Kong British National (Overseas) of the Immigration Rules
- Those whose leave is not subject to a condition requiring them to maintain and accommodate themselves, or any person dependent upon them, without recourse to public funds, and
- Those who are habitually resident in the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland

We cannot allow people from the following groups to join our housing register:

- People subject to immigration control unless they have refugee status; or they have exceptional or indefinite leave to remain; or they are the subject of a sponsorship undertaking, have been in the UK over 5 years and the sponsor has died.
- Some EEA nationals that are not eligible for social housing.
- Anyone not habitually resident in the Common Travel Area unless they are exempt.

EU nationals required to leave the UK by the UK government are also ineligible.

The Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 also state who we can help.

An allocation from the local authority housing register is exempt from the Right to Rent legislation introduced by central government in 2016. Eligibility for social housing through Durham Key Options is checked and verified in line with section 160ZA of the Housing Act 1996, as described above. This means our applicants are not disadvantaged by the fact that the Right to Rent legislation does not apply to them.

### **Who qualifies to join the DKO housing register?**

Everyone who is eligible for social housing will qualify to join the DKO housing register except applicants (or households) who fall into the 4 groups below. The Localism Act 2011 (s.160ZA (6) and (7)) enables us to disqualify the following 4 groups from our scheme:

#### **1. People whose behaviour makes them unacceptable to us**

You do not qualify to join the register if we are satisfied that you or a member of your household who will live with you:

- has been guilty of unacceptable behaviour that is serious enough to make the person unsuitable to be offered housing and, when we consider the application, we believe that the person remains unsuitable to be offered housing because of that behaviour.

We may regard an applicant, or any member of their household as having been guilty of unacceptable behaviour if any of the following statements applies to them (this is not meant to be a complete list):

- They have been convicted of a drug-related offence\*
- They have been convicted of a violent criminal offence that we consider makes them a threat to the local community
- They have been convicted of a sex-related offence that we consider makes them a threat to the local community\*
- They have any other conviction which, in our opinion, makes them a threat to the local community\*
- They have perpetrated violence, domestic violence, racial violence or harassment
- They have been abusive to, attacked or threatened staff
- They have a history of anti-social behaviour or are subject to an anti-social behaviour order
- They have a record of unacceptable rent / mortgage arrears\*\* to local councils or other landlords / lenders (including associated court costs)
- They have a record of unacceptable garage rent arrears owed to the full partner landlords of DKO (believe housing, Karbon Homes, Livin and North Star)
- They have been evicted on any of the grounds in Schedule 2 to the Housing Act 1985 or any statutory amendment or re-enactment of it
- They have unsatisfactory tenancy reports
- They have damaged a current or previous rented home, and owe money for 'rechargeable repairs'

- They have knowingly given a false statement or given false information when applying to join our housing register

\*Spent convictions will not be taken into account during our assessment

\*\*Any rent arrears owed by tenants of Dale and Valley Homes, Durham City Homes and East Durham Homes before Durham County Council's housing was transferred to the County Durham Housing Group could be seen as 'personal debt'. But we will still regard this debt as rent arrears when we assess whether you qualify.

Until the applicant can demonstrate better behaviour, we will not consider another application from them if we have disqualified them from our register. For applicants (or household members) with rent or mortgage arrears, Durham Key Options has a repayment standard that they expect applicants to follow. This means they need to show significant signs of change before they can qualify to join the housing register (see Appendix 3 of this policy).

## **2. People we have previously removed from our register**

We may remove a previously qualifying applicant from our register if:

- they refused or did not respond to 3 offers of any suitable property in any rolling 12-month period

We will disqualify an applicant we have removed for the above reason from re-joining the scheme for 6 months unless they have had a material change of circumstances since the date of removal. We will also disqualify an applicant if their partner has refused or did not respond to 3 offers of any suitable property in any rolling 12-month period.

## **3. Tenants who have (a) signed up to a new tenancy in the last 12 months through Durham Key Options and (b) who we regard as adequately housed**

All new adequately housed tenants will be disqualified until one year after their tenancy date unless they have had a material change of circumstances since their tenancy start date.

## **4. People aged 18-21 who have no income to pay their rent**

In certain circumstances, single applicants aged 18-21 may not have any income to pay their rent and will be disqualified until they can provide evidence that their financial situation has changed. From April 2017, automatic entitlement to housing support as part of a claim for Universal Credit will be removed. Universal Credit will be rolled out in County Durham from October 2017.

Exemptions will apply to the following:

1. Claimant households who are responsible for a child
2. All claimants who are not in the 'all work-related requirements' conditionality group (broadly, this means certain people who are unable to work)
3. Claimants who were previously in local authority care
4. Claimants receiving the care component of disability living allowance at the middle or highest rate or the daily living component of personal independence payment
5. Claimants who are subject to active multi-agency management (this means arrangements for managing risks posed by certain offenders)
6. Claimants in temporary accommodation provided by a local authority under its homelessness duties

7. Claimants whose 'expected hours of work' have been reduced because of their caring responsibilities or physical or mental impairment
8. Those for whom work-related requirements cannot be imposed because of the range of time-limited circumstances prescribed in sub-paragraphs (3) and (4) regulation 99 of the 2013 regulations (the recently bereaved, those in treatment for addiction, etc).
9. Claimants who are in work
10. Claimants who are unable to live in the parental home because:
  - a. they are orphans
  - b. their parents live abroad, or
  - c. in the Secretary of State's opinion, it would not be appropriate for them to live in the parental home

### **Right to Review**

If we decide you are not eligible or do not qualify to join our register, we will notify you of our decision and the reason for it. We will also inform you of your right to review. You can find details of this process in Section 8.

## **5. How we assess need**

### **Banding details**

We have to ensure we meet the legal requirements of the Housing Act 1996 (as amended by the Homelessness Act 2002) and the Communities and Local Government Allocation of Accommodation. Choice Based Lettings Code of Guidance for Local Housing Authorities. To do this, we place applicants into one of our scheme's bands according to their assessed housing need.

The 4 bands are 1, 2, 3 and 4.

Appendix 1 summarises the bands and the criteria of housing need required for each.

### **Band 1**

We place applicants with the following circumstances into band 1 and shortlist them in order of:

- regeneration priority
- urgent medical priority
- all other band 1 applicants

### **Regeneration priority**

We award regeneration priority to the following groups:

- Applicants from any tenure permanently losing their property because of demolition / disposal in a designated regeneration area in County Durham.

We award this status with effect from the date that Durham County Council or one of our partner landlords has made a final decision and agreed to the property's demolition or disposal. To qualify, applicants must have lived in the property at the time of this decision.

Each demolition area may need to be managed on a scheme-by-scheme basis. So, to effectively manage the process we may have to apply extra letting criteria. The extra criteria will be made public in advance of any regeneration.

### **Urgent medical priority**

We award band 1 priority if an applicant or anyone to be rehoused with them:

- Suffers from severe chronic illness (physical or mental) or disability that results in the person being unable to occupy their current property in an acceptable way, and
- the medical assessment says re-housing is the most suitable solution

We may require an occupational therapist's advice to ensure best use of accommodation to meet the person's needs. If we have to take account of medical advice, we may require the person to provide evidence from health or social care professionals who have direct knowledge of the person's care needs. Please see Appendix 2 for more details.

Our way of awarding urgent priority where there is a medical problem is closely tied to whether the applicant's present home is suitable for them. There must be a clear link between the 2 things, so we may not award priority status even though the applicant has a severe medical condition. This does not mean we do not think the person has medical problems, but if their present accommodation meets their needs or a move is unlikely to help with those needs, we will not award medical priority.

### **Further preference**

We will give extra preference to applicants in urgent medical need who have a prescribed connection to the armed forces (see the additional preference section on page 8). We will award this further priority as a 6-month backdate to the applicant's priority date.

### **Severely overcrowded (by 2 or more bedrooms)**

When deciding whether an applicant's home is overcrowded, we regard a separate bedroom as needed in each of the following circumstances:

- A single person aged 16 or over is in the household
- Couples, or a bedroom for each of them if medical evidence says it is needed
- Two children\* under the age of 10, regardless of their sex (or a bedroom for each of them if medical evidence says it is needed)
- Children\* of the opposite sex aged 10 or over are not expected to share
- A foster child or future foster placement cannot yet live with the applicant due to the current property size or its current occupants
- The applicant or their partner has an established need for an extra room for overnight care that is provided by someone outside the household

This priority will only be valid for bids on property sizes that would relieve the overcrowding.

- We regard an unborn child as though it is already in the household, at the MATb1 stage of pregnancy (around 20 weeks before the due date). Evidence will need to be provided.

## **Statutorily homeless applicants**

If we accept that an applicant is statutorily homeless and has a main duty to be housed under part 7 of the Housing Act 1996 (as amended by the Homeless Reduction Act 2017), we will award them band 1 status. We will remove this banding when the local authority's Housing Solutions Service informs us it has fulfilled this duty.

## **Supported housing or move-on from a supported scheme**

If an applicant lives in intensive supported housing and their support provider says they are ready to move on and live independently, we will award this priority to release the supported accommodation for others in need.

## **Care leavers**

We will award care leavers this priority if we owe a duty to them under the Children Leaving Care Act 2000.

## **12-month review for band 1 applicants**

We believe the majority of applicants in our highest band will find a suitable home with Durham Key Options within 12 months.

If you do not succeed in being re-housed after 12 months of being in band 1, we will look to see whether we have available homes that will meet your need and that you can afford (in the area you wish to live). If we do, we will offer you a direct let. If you refuse this offer, we may reassess you as band 2 on the housing register. If you disagree with his decision, you will have the right to appeal.

If we do not have homes in the area you want to live, we will look at alternative homes in areas nearby and discuss them with you. We will take into account other factors such as welfare (needing to be close to family / carers), medical and finance.

If we believe you will be re-housed in the near future or you require a specific type of home for medical needs that may be available in the future, we may extend your time in band 1 and review your situation again regularly.

## **Band 2**

This band is for applicants in the following circumstances:

### **Unsanitary, overcrowded or otherwise unsatisfactory housing**

This means the applicants are occupying unsanitary overcrowded (one bedroom short of their needs) or otherwise unsatisfactory housing.

'Unsatisfactory' includes their property being in a poor condition, meaning it falls below the minimum standard for housing as defined by the Housing Act 2004.

When deciding whether an applicant's home is overcrowded, we regard a separate bedroom as needed in each of the following circumstances:

- A single person aged 16 or over is in the household
- Couples, or a bedroom for each of them if medical evidence says it is needed



- Two children\* under the age of 10, regardless of their sex (or a bedroom for each of them if medical evidence says it is needed)
- Children\* of the opposite sex aged 10 or over are not expected to share
- A foster child or future foster placement cannot yet live with the applicant due to the current property size or its current occupants
- The applicant or their partner has an established need for an extra room for overnight care that is provided by someone outside the household

This priority will only be valid for bids on property sizes that would relieve the overcrowding.

- We regard an unborn child as though it is already in the household, at the MATb1 stage of pregnancy (around 20 weeks before the due date). Evidence will need to be provided.

### **Medical or welfare need**

This means applicants (or a member of their household) who need to move for medical or welfare reasons in line with our framework for medical priority in Appendix 2. Our system of awarding priority where a person has a medical problem is closely tied to whether their present home is unsuitable for them. There must be a clear link between the 2 things.

If an applicant says there is a medical condition, we carry out an assessment to see how well the person is managing in their current accommodation. We may need an occupational therapist's advice to ensure the best use of accommodation to meet the person's needs. If we need to take account of medical advice, we may require the person to provide evidence from health or social care professionals who have direct knowledge of their condition.

Welfare reasons could include the need to be near family or friends to give or receive support, people who have a learning disability and people who need to give or receive care. Any such welfare reason must be shown to be very likely to improve the person's living situation.

We will also award a welfare priority where an applicant is a current victim of domestic abuse, and an urgent move is required from their home.

### **Armed forces and reserve forces connection**

This priority includes applicants discharged from the regular UK armed forces (as defined in the Armed Forces Act 2006, section 374) within the previous 5 years who do not fall within the criteria of the homelessness legislation and have served 3 years or longer or who have been medically discharged (except people dishonourably discharged).

Current members of the armed forces and reserve forces will also receive this priority if they have suffered an injury in service that has resulted in their current home being unsuitable. We will award this priority to former members of the reserve forces (previous 5 years) if they suffered an injury in service that has resulted in their current home being unsuitable.

Widows, widowers and civil partners of an armed forces member killed during service will receive this priority if they have to leave the armed forces accommodation because their partner has died.

### **Hardship**

This priority includes applicants who cannot afford their current accommodation or are not likely to be able to afford it in the next 3 months because of welfare reform.

The priority also applies to applicants who need to move to a different locality in County Durham (or into County Durham from another local authority area) to take up a particular job, education or training and where failure to relocate is causing or would cause hardship.

**Homeless people (or those threatened with homelessness in the next 56 days) *not* owed the main duty to be housed under Part 7 of the Housing Act 1996 (as amended by the Homeless Reduction Act 2017)**

This means homeless applicants (or those threatened with homelessness within the next 56 days) – including those at the *prevention* or *relief* stage of a homelessness case with the local authority's Housing Solutions service and owed duties under s195(2) or s189B of the Homeless Reduction Act 2017.

To also include people who are owed a duty ([as amended by the Homeless Reduction Act 2017](#)) or have had a 'No Duty' decision by Durham County Council.

**Bi-annual Review for Band 2 applicants**

We believe the majority of applicants in band 2 will find a suitable home with Durham Key Options within 24 months.

If you do not succeed in being re-housed after 24 months of being in band 2, we may re-assess you as a 'reduced priority' band 2. Prior to this, consideration will be given to:

- Whether meaningful bids have been placed during this period
- Whether you have refused any offers of properties which are considered suitable
- whether there has been any change in circumstances and if your application still merits a band 2 priority

Where it is considered there have been no suitable properties to meet your needs, in your areas of choice, a two-year extension may be given, and your form will be reviewed at the next two-year point.

We will advise you of our decision and if you disagree, you have the right to appeal.

**Band 3**

This band is for applicants wishing to live independently with no other housing need but are:

- living with family / friends
- living in shared accommodation
- suffering from a relationship breakdown where their ex-partner will remain in the last tenancy

**Band 4**

This band is for applicants who are adequately housed and have no housing need as defined by our criteria for bands 1, 2 or 3, but are eligible and qualify to join our housing register.

**Change of circumstances**

Applicants must inform us of any change in their household circumstances that may affect their banding, the type of property they need or their need for extra advice or support on housing options.

Such a change could include:

- change of address

- a member of the household no longer wishing to be included on the application
- extra member(s) of the household, such as a new baby
- relationship breakdown
- a new physical or mental health problem or disability that affects housing need
- worsening or improvement of an existing physical or mental health problem or disability that affects housing need
- a change to their financial circumstances

Applicants must provide this information writing, which could be on a change of circumstances form, by visiting a partner landlord direct and explaining the change, by letter, by email or by editing their current application form online at [www.durhamkeyoptions.co.uk](http://www.durhamkeyoptions.co.uk).

If a change of circumstances means a change in band and we give the application higher priority, this will apply from the date we are notified of this change. This is called the 'priority date'. If we give the application a lower priority, the original application date will remain.

We may withdraw an offer of a property if we find that an applicant's circumstances have changed and this would have resulted in them having a lower priority, being unable to afford the property (including any benefit sanctions or restriction like the benefit cap) and / or being disqualified. We will assess the applicant's new circumstances, award new banding (if applicable) and notify them in writing.

## 6. Our rules on property entitlement

### Property type and size

To ensure good management of the housing stock, we will allocate certain properties only to people who meet certain criteria. For example, a 3-bedroom house will be automatically available to households in higher income work (as well as all families who can fully occupy it) but may be available to others depending on circumstances. The table in Appendix 4 shows what properties are available to particular groups of people. Every advert will clearly show any restrictions on letting the property.

We will be flexible too, for example:

- In some areas there may be a surplus of a particular type of housing so we will make it available to people outside of the usual criteria
- We will adjust the qualifying household size if our housing supply exceeds the demand for it
- We will lower the age limit on elderly people's flats and bungalows if we have more of these than this age group wants

### Extra rooms outside the household

If the applicant or their partner is an approved foster carer and has fostered a child in the last 12 months or they became an approved foster carer in the last 12 months, we will add an extra room to their maximum room eligibility. Adopting parents will also receive an extra room. This will help them find a suitable home in which to continue fostering or adopting a child. We will add only one extra bedroom regardless of the number of fostered or adopted children there are or may be in the household.

If an applicant or their partner needs an overnight carer from outside their household so that they can continue living independently, we will add an extra room to the applicant's minimum and maximum room eligibility. Our definition of 'carer' is in line with that of the Department of Work and Pensions.

### Local letting policies

Our partner landlords may introduce a local letting policy:

- in areas where there is a shortage of a specific type of housing
- to ensure a balanced community and prevent anti-social behaviour, for example to stop there being too many young people in an area or type of property
- to take into account rural or city centre related issues concerning the demand for and affordability of housing

If a local letting policy involves a local connection, the following criterion will apply:

The applicant or a member of the applicant's household who is to be re-housed with them must be:

- living in the area now or have left the area within the last 6 months and have lived there for a continuous period of 12 months before their application date or the date they left the area, or
- living outside the area now, and support or need support from someone who has lived in the area for at least 2 years, or
- in continuous full-time or part-time work (at least 2 full days per week) in the area for at least 12 months before their application date

This criterion will not apply to a property / area that is subject to a Section 106 planning agreement (see your local partner for details).

We will give preference to applicants with a local connection and then their application date. If no bids are received from people who fulfil the local connection criterion within band 1 or the advertised preference band, we will consider applicants with a local connection in the next eligible band and so on. If we do not receive any bids from applicants with a local connection, we will allocate the property in line with the shortlisting criteria in section 7.

Details of local lettings policies will be published on the Durham Key Options website and are available on request from our partner landlords. Property adverts will make clear when a local letting policy applies.

## **7. How we offer properties**

### **Giving higher priority to people with a local connection**

We comply with government guidance that aims to ensure people with a long-standing connection to their local community get higher priority for council homes.

The guidance says those with a well-established residency history, relatives or a job in the local area should benefit first when social homes become available. This is called a 'local connection'.

#### Will this affect me when I apply?

No. When you apply to us for housing, we will not consider 'local connection' when assessing your housing need or putting you in a housing band.

#### Will this affect me if I am shortlisted for an offer of a property?

Yes, it may do. When we draw up a shortlist for offering a property, we will give a higher priority to you regardless of banding if:

1. you have lived in County Durham or the wider north-east region – Darlington, Gateshead, Hartlepool, Middlesbrough, Newcastle, North Tyneside, Northumberland, Redcar and Cleveland, South Tyneside, Stockton on Tees, Sunderland – for a period of one year before the offer date, or
2. you have not lived in the north-east region for a period of one year before the offer date, but you still have a local connection to County Durham (only) because:
  - you have close family (siblings, parents, grandparents, or children) who have lived in County Durham for one year before the offer date, or
  - you need to move to the area to receive support from or give support to an extended family member (cousin, nephew, niece, aunt, uncle) who has lived in County Durham for one year before the offer date, or
  - you or a member of your household are currently employed (if part-time, then at least 2 days per week) on a permanent contract in County Durham.

However, a local connection will not give you a higher priority on the shortlist than the following people:

- Applicants with an armed forces connection (as described on page 17, Armed forces and reserve forces connection).
- Applicants who need to move away from another area to escape violence or harm.
- Statutorily homeless applicants or care leavers.
- Applicants from outside County Durham who wish to move into the area to take up an offer of employment (if part-time, at least 2 days a week) on a permanent contract.

#### Our freedom to deal with individual cases in exceptional circumstances

The guidance says we are free to deal with individual cases as we see fit if there are exceptional circumstances, including hard-to-let housing.

So, if a property has been hard to let and we have already advertised it at least once, we may let it directly to an interested applicant to avoid the further cost of keeping the property empty. This applicant need not have lived in the north-east region for one year or have a local connection to County Durham.

#### **Advertising**

We will advertise all available properties through the choice-based lettings scheme.

We will advertise properties on 5 weekly cycles, beginning Monday midnight, Tuesday midnight, Wednesday midnight, Thursday midnight and Friday midnight. Each cycle lasts 6 days.

Applicants can express an interest in or bid for properties in line with the entitlement rules. After the close of advertising, we will shortlist applicants in line with this policy and in order of

applicants' banding number. We will only offer adapted properties to applicants who require the advertised adaptation.

For full details of the banding system, please read section 5 and the summary at Appendix 1.

## **Bidding**

Applicants can bid for properties in various ways including:

- on the Durham Key Options website
- contacting a partner landlord's housing office in person or by phone
- through automatic bidding in the case of vulnerable applicants
- through an advocate by one of the above methods.

## **Shortlisting and tie-breakers**

At the close of an advertising cycle, our computer generates a shortlist of applicants in line with this policy.

The tie-breaker between applicants in the same band (or priority group in band 1) is their application date or priority date as the case may be.

If a local letting policy applies, shortlisting will depend on its specific criteria

## **Making an offer**

We will contact the successful applicant and give them details of the offer. If an applicant succeeds in bidding for more than one property in one advertising cycle, we will require them to tell us which home they prefer before any viewing. At this point, we will verify the applicant's circumstances in line with this policy to ensure they have not materially changed.

If we find there has been a change that would have caused a move to a lower band (or disqualification from the scheme), we will withdraw the offer and review their application.

If the applicant cannot afford the tenancy being offered, we may withdraw the offer.

We may also withdraw an offer if the applicant has behaved in an unacceptable way, which may include behaviour under investigation that could lead to possible eviction from their current tenancy. We will look at the behaviour in the light of the rules stated on page 11 of this policy, 'People whose behaviour makes them unacceptable to us'.

## **Feedback**

To ensure all our lettings are open and transparent, we publish feedback on the number of bids, the banding of successful applicants, and their date of application/priority date. This enables applicants to assess their likely chances of success and help them make realistic decisions on their housing options.

## **Direct offers**

In exceptional circumstances we may offer a property directly to an applicant without them bidding. For the sake of openness, the property will still be advertised but the advert will say

we will not take bids.

Such cases will be agreed by the partner landlords. Examples include:

- direct lets in homelessness cases in line with this policy (see below for more about these cases)
- direct lets to applicants in band 1 who have been unable to find suitable accommodation in the 12 months since their application
- direct lets where the applicant lives in a partner landlord's property but does not meet the qualifying criteria to take up their succession rights to the tenancy
- the letting of a significantly adapted property
- cases where a property is unsuitable to meet the needs of a person with potential succession rights
- any other cases where the need is specialist or urgent.

If a property has been difficult to let and we have already advertised it at least once (or where there is a history of low demand for that property type, size and location), we may make a direct let to an interested applicant to avoid the cost of keeping the property empty.

### **Refusal of offers**

A suitable offer is an offer of a property that meets the applicant's assessed needs within this policy.

If an applicant refuses 3 suitable offers within a 12-month rolling period, we will suspend their application for 28 days to allow them to appeal against removal from the register. If they appeal unsuccessfully or do not appeal, we will remove them from the register for 6 months. This means they will be unable to bid for properties unless their circumstances change materially, in which case they can reapply.

We regard the failure to respond to a suitable offer as a refusal.

Our partner landlord making the offer will decide whether the refusal is reasonable. For direct lets, they will decide on suitable action case by case.

If a homeless applicant refuses a suitable offer, we will have fulfilled our duty to house them, and they will lose their priority. For these applicants, the local authority will decide whether the offer was suitable. We will reassess the applicant and place them in the appropriate band but without any further statutory duty to house them. The applicant will have a right to have the decision reviewed under section 202 Part 7 of the Housing Act 1996.

### **Adapted properties**

Many properties in County Durham have been specially adapted to benefit disabled people. Examples include ramps, stair lifts, through-floor lifts, walk-in showers and adapted kitchens.

We will let adapted properties to ensure we re-house the most suitable applicant. They will be let to the applicant with the highest and most suitably matched needs according to the medical framework. In these cases, we may need to take advice from an occupational therapist or other suitable medical specialist.

To meet *severe medical need* and make the best use of our housing stock, we may make a direct let of a heavily adapted property.

### **Nominations to registered providers**



We operate a nominations agreement that sets out how other registered providers engage with our scheme. This agreement is available [on this website](#) or from any of our partner landlords.

We expect registered providers to follow our banding structure. However, they are allowed to skip applicants nominated to them from the local authority for specific reasons listed in the nomination agreement. They must report their skipping reasons to the local authority, which monitors them to ensure fairness and transparency.

Adverts will clearly state any specific requirements of a registered provider for a particular area or property that do not match our policy.

### **Mutual exchanges**

Mutual exchange opportunities will be stated on our website. A tenant who wants a mutual exchange must register with us through DKO HomeSwap.

Tenants with secure or assured tenancies have the right to exchange their property as long as they comply with their tenancy obligations and meet the relevant conditions for an exchange. They can exchange with another secure or assured tenant.

Starter tenants do not have an automatic right to exchange.

### **Lettings outside the policy**

Some housing providers may advertise their properties through our scheme but let them outside our choice-based letting policy, for example:

- privately rented properties
- registered providers' properties let outside the nomination agreement
- some low-cost home-ownership schemes
- 'extra-care' schemes.

## **8. Our notification and appeal process**

### **Notification**

Every applicant has the right to ask for information that will enable them to assess how we are likely to treat their application.

When you apply for housing, we will notify you whether you are eligible for and qualify to join our housing register. If so, we will inform you which band you are in.

You have the right to know about the availability of housing that will meet your needs and likely waiting time for a suitable property.

### **Appeal process**

You are entitled to an appeal in the following circumstances:

- If we decide you are not eligible for or do not qualify to join our register because of unacceptable behaviour.

- We have removed you from our register, except at your own request.
- You feel you have been unfairly treated in the letting process. This could include unfair treatment over a housing offer\* or in the band awarded, or if you have been skipped when next in turn on a shortlist to be matched to a property.

\*Any request for a review of a housing offer to statutorily homeless applicants will be dealt with under section 202 Part 7 of the Housing Act 1996 by the local authority's Housing Solutions service (and not as part of this policy's appeal process).

You will have 28 days to appeal from the date of our notification letter. If you do not receive the letter, we will regard you as having received it if we have made it available at our offices for a reasonable period for collection (this is in line with section 160ZA of the Housing Act 1996).

We operate a 2-stage appeal process. While the appeal continues, you keep your assessed status until the appeal's outcome. We will not hold a property available to you pending the appeal's outcome.

The appeal process is as follows:

### **Stage 1 Appeal**

If you request to appeal a decision, we will ask you to complete a Customer Appeal Form and provide evidence in support of your appeal. You should send this information to the original decision-making body within 14 days.

Your appeal will be considered by a manager not involved in the original decision.

We will notify you in writing of the decision and the reasons for it within 6 weeks of your original appeal.

### **Stage 2 Appeal**

If you are dissatisfied with the outcome of Stage 1, you may wish to appeal at the next stage. If so, you must complete a further Customer Appeals Form with additional information / evidence to the Head of Planning and Housing who will consider any second stage appeal you make. If the Head of Planning and Housing is absent, a Housing Solutions Manager (Chair of the DKO Board) will respond to the appeal.

We will notify you in writing of the decision and the reasons for it within 21 days of the Stage 2 appeal.

The Stage 2 decision is the final stage of the DKO process however if you are not satisfied with the response to the review, you can contact the Housing Ombudsman on 0300 111 3000 or email [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk).

We will inform you if you have the right of appeal to the county court on a point of law, if so, this appeal will need to be submitted within 21 days.

### **Updating applications**

To ensure that the details we hold about housing circumstances are up to date, and to

check whether applicants still wish to be on our register, we will write to applicants 12 months after registration and every 12 months thereafter. The letter or email will ask whether:

- they still wish to apply for our housing and are still eligible and qualify to do so
- there has been any change of circumstances

Our letter gives applicants 28 days from receipt to provide the information and says that applications will be cancelled if applicants:

- fail to respond in the specified period, or
- no longer wish to apply for housing

### **Removal from the housing register**

We will remove an applicant from the housing register in the following circumstances:

- You request to be removed.
- You accept an offer of housing.
- After 28 days, you have not replied to a request for further information or told us whether you are still interested in our housing.
- You or a member of your household who is to be re-housed with you become ineligible or disqualified in line with this policy.
- We find false information on your application form or in any supporting information.
- You refuse or do not respond to 3 suitable offers of a property in any rolling 12-month period.
- You tell us you do not want the size of home we have assessed you as being able to afford.

We will make a decision whether to remove you from the register only on the basis of known facts.

Before deciding to remove you from the register (except at your own request or when you accept an offer of accommodation), our partner landlord must tell you in writing why it is considering removing you. In these cases, you will be suspended from the register and notified that you have the right to appeal. We will allow you 28 days to reply.

If an appeal against removal does not succeed, we must inform you when you may re-apply to our housing register.

## **9. Monitoring our policy**

We will monitor our policy to assess whether:

- it is meeting its aims and objectives and working well
- it should be changed
- it complies with our duty to give reasonable preference
- it meets equality and diversity criteria

To ensure that applicants in the greatest housing need (band 1) and the reasonable preference categories are using the scheme effectively, we will closely monitor their bidding activity.

To ensure the registered provider nomination agreement is working effectively, the Choice Based Lettings Housing Project Lead (CBL) will monitor all matters concerning registered providers.

The policy will be reviewed annually, which will be the responsibility of Durham County Council's Head of Planning and Housing, supported by the Choice Based Lettings Housing Project Lead (CBL) in the Housing Solutions service.

### **False information or failure to provide information**

Section 171 of the Housing Act 1996 makes it an offence for anyone seeking assistance from the landlord to:

- knowingly or recklessly make a false statement
- knowingly withhold information that the local authority reasonably requires in connection with a housing application

Such offences can be committed in providing false information:

- on or about an application form.
- in connection with re-registration or a change in circumstances.
- during the proceedings of a review or any other circumstances that affect a housing application

A person guilty of an offence under section 171 of the Act may be fined up to £5,000. The local authority and social housing providers may seek possession of a tenancy they have granted as the result of a false statement by the tenant or anyone acting on their behalf.

### **Copies of the policy**

This policy is available for public inspection through any of our partner landlords and is also available on our [website](#).

The policy is available in various languages and formats on request.

**Banding Structure****Band 1 – Urgent housing need**

Applicants in this band receive priority for all eligible properties in the first instance as follows:

- Regeneration schemes within County Durham
- Urgent medical reasons
- Applicants severely overcrowded (2 bedrooms short of their needs)
- Homeless applicants accepted as statutorily homeless with a full duty to be rehoused
- Applicants living in intensive supported housing where their support plan says they are ready to move to an independent tenancy
- Care leavers

If there are competing bids within this band, the order of or priority will be:

1. regeneration cases
2. urgent medical
3. all other cases

**Band 2 – General housing need**

- Applicants in unsanitary, overcrowded (1 bedroom short of their needs or otherwise unsatisfactory housing)
- Applicants who need to move for medical or welfare reasons
- Armed or reserve forces connection (discharged in the last 5 years)
- Applicants who need to move to a particular locality to avoid hardship
- Non-statutorily homeless

**Band 3 – Low housing need**

- Applicants wishing to live independently with no other housing need

**Band 4 – Without housing need**

- Applicants who are adequately housed and have no housing need

## Medical Framework

Medical priority will only be awarded if rehousing will relieve the harmful effect.

### Urgent medical priority (band 1)

- The applicant (or member of the household) cannot be discharged from hospital because their current home is unsuitable (including those in an intermediate care bed waiting for a local authority care package to be applied); or the applicant (or household member) requires 24-hour care that cannot be given in their current home, but a new home will result in this care being given, and prevent the person needing to go into care or hospital.
- The applicant (or member of the household) does not have access to (or there is a severe detrimental effect\* on their physical health to access) toilet or bathing facilities (or both).
- The applicant (or member of the household) cannot manage the stairs in the current property, resulting in them sleeping in a downstairs room, which may be unsuitable because it has a gas appliance, and/or because it is not a private room\*\* for the applicant to sleep in.
- The current home cannot be adapted to enable the applicant or member of the household to access the property safely, provide wheelchair mobility within the home, or to receive the necessary care and support.
- The current home has a severe detrimental effect\* on the mental health of the applicant (or member of the household), in the opinion of a relevant mental health professional\*\*\*.
- The current home's features, including steps to access, or steps within, have a severe detrimental effect\* on the physical health of the applicant (or member of the household).

### Medical priority (band 2)

- The applicant (or member of the household) has difficulty accessing toilet or bathing facilities, including difficulty managing the stairs in their current property, even with adaptations, to reach the facilities
- The current home is harming the applicant's mental health (or that of a member of the household). Evidence must come from a relevant mental health professional\*\*\*
- The current home's condition or features are harming the physical health of the applicant (or member of their household). Evidence would need to come from a relevant health professional.
- The applicant has difficulty managing the upkeep of their current property and does not have members of the household who can assist
- The applicant is currently living in suitable accommodation but needs to move nearer to relatives or friends to receive support that will relieve the effects of their medical condition

\* 'Severe detrimental effect' means the person is hospitalised or at risk of hospitalisation (and, in the case of mental health, the effect cannot be regulated by medication). There must be strong evidence for any risk identified.

\*\* A 'private room' is defined as a room (not open plan) where there is *no effect on any other household member* (ie not a living room, and not a dining room that is a through room to a kitchen, downstairs toilet or utility room).

\*\*\* 'Relevant mental health professional' should be a consultant psychiatrist or a community psychiatric nurse (CPN). A GP can assess severe effect caused by the current housing but only if a referral has been made to (or from) a psychiatrist or a CPN.

## **Welfare**

'Welfare' means any reason that reduces a person's quality of life. We can award welfare priority to take account of the circumstances of an applicant or member of their household or those of a person to whom they provide care or support. Occupying the current property must be harming the applicant or care receiver and moving to alternative accommodation (and / or area) must be likely to relieve the harm.

Therefore, an applicant will only qualify for welfare priority if they (or a member of the household) meet any of the following criteria:

- Needing to move nearer to family or friends to give or receive support (non- medical), and failure to do so could result in the person needing support being unable to continue living independently
- Needing support or being vulnerable because of learning disabilities
- Needing support or being vulnerable because of dependence on alcohol or drugs
- Fleeing domestic abuse but has not been assessed as statutorily homeless
- Needing to move because they are the victim of serious harassment or violence\*\*\*\*, and this is reducing their quality of life
- Needing to move to access certain special facilities, such as a special school or health care
- A 'split household' where joint applicants are currently unable to live together as a family household because they reside in 2 separate properties, as their main residence.

\*\*\*\* Police confirmation will be required to confirm that the applicant is a victim of serious harassment or violence. Alternatively, if the applicant is a tenant of a DKO full partner, evidence can be provided from the internal tenancy sustainment / ASB team.



### Arrears owing to previous and current landlords

We will investigate arrears owing to landlords or mortgage lenders over the previous 6 years:

<b>Assessed arrears (previous 6-year address history) total will include:</b>
rent arrears
court costs
rechargeable repairs
mortgage arrears

We will look at each case on its own merits:

<b>Individual of circumstances and vulnerabilities</b>
In all genuine cases – where it can be evidenced, or reasonably argued that arrears have accrued through genuine cause or circumstance and where an applicant could not have been expected to pay costs incurred at that time (or since, as the case may be), the applicant will not be expected to keep to the repayment rules below. However, applicants must still take positive steps to address arrears, i.e. set up a repayment plan and maintain regular payments before rehousing through DKO.

If we cannot find genuine reasons why you did not pay the money owed and / or why you have not made significant steps to repay this money, we will expect you to set up a repayment plan for a certain amount of time before we allow you to qualify for the housing register.

Arrears owed to other landlords (not full partners of DKO) should be repaid as follows:

<b>Arrears with other landlords</b>	<b>Repayment plan</b>
Repayment in full (one payment) is acceptable for qualification to DKO.	
<b>£0-499</b>	3 months of regular payments
<b>£500-£999</b>	6 months of regular payments
<b>£1000 or more</b>	12 months of regular payments
<i>If an applicant provides good tenancy references in their name (with zero arrears) for the last 2 years, then a repayment plan for prior arrears will not be needed.</i>	

A minimum of 10% of the total arrears should be paid back by the end of the suggested time. Once you qualify for the housing register, we will expect you to maintain regular payments to continue clearing the debt. If you are offered a property with us, we will check you have continued to make payments. If not, we may withdraw the offer of housing and suspend your application.

<b>Arrears with full partners of DKO (and Home Group)</b>	<b>Repayment plan</b>
<b>Current tenant</b>	Court order means automatic disqualification Arrears must be cleared in full
<b>Former tenant</b>	75% of total to be repaid (regular payments must continue during bidding)

If you are a former tenant who qualifies for DKO (having paid 75% of the debt), we will expect you to continue making payments to clear the arrears while on our register. If you are offered a property with us, we will check you have continued to make payments. If not, we may withdraw the offer of housing and suspend your application.

**Appendix 4 – Entitlement chart**

£ = if able to afford. Affordability for families on housing benefit is in line with household make-up.  
 \* = if there is a physical medical need, access to bungalows will be granted for this household type.

Appendix 4 – Entitlement chart		1 BEDROOM				2 BEDROOMS				3 BEDROOMS			LARGER			Colour key:
		BEDSIT (1 BED)	1-BED FLAT	1-BED SHELTERED	1-BED BUNGALOW	2-BED FLAT	2-BED SHELTERED	2-BED HOUSE	2-BED BUNGALOW	3-BED FLAT	3-BED HOUSE	3-BED BUNGALOW	4-BED HOUSE	5-BED HOUSE	6-BED HOUSE	Automatic entitlement
																Not entitled
																Depends on circumstances
Key:	Household type															
age = even with medical need, some landlords may not allow applicants to occupy specific older persons' accommodation	Singles and couples	SINGLE				£		£		£	£					
		SINGLE OVER 60 YEARS				£	£	£	£	£	£					
		SINGLE UNDER 60 (at least one with medical needs)			age		£	age	£	£	£	£				
		COUPLE					£		£		£	£				
		COUPLE OVER 60 (at least one must be over 60)					£	£	£	£	£	£				
		COUPLE UNDER 60 (at least one with medical needs)			age		£	age	£	£	£	£				
Sharing adults	2 ADULTS, BOTH OVER 60 (non-couple)									£	£					
	2 ADULTS, ONE OR BOTH UNDER 60 (non-couple)								*	£	£					
C = two children of a different sex can only share if they are under 10. Any child 16 or over must have their own bedroom (adult).	Families (household means single/couple)	HOUSEHOLD and 1 CHILD							*	£	£					
		HOUSEHOLD and 2 CHILDREN (under 10 different sex or under 16 same sex)							*	£	£					
		HOUSEHOLD and 2 CHILDREN (one 10 or over different sex or one 16 or over same sex)										*				
		HOUSEHOLD and 3 CHILDREN								C	C	C*	C			
		HOUSEHOLD and 4 CHILDREN								C	C	C*	C	C		
		HOUSEHOLD and 5 CHILDREN											C	C	C	

**An extra bedroom may be guaranteed to some households in addition to this entitlement chart:**  
**Exception 1:** Pregnancy will be treated as 1 child already born and in the household.  
**Exception 2:** A future foster placement will be classed as 1 child already in the household.  
**Exception 3:** A specific medical need may require an extra bedroom for the household.  
**Exception 4:** Carers from outside the household require their own room.  
 All 4 exceptions require specific evidence (please ask your housing partner for details).



# Durham Key Options



For queries relating to the East, West and Central Durham areas:

[lettings@believehousing.co.uk](mailto:lettings@believehousing.co.uk)

**Telephone: 03000 1311 999**



Chester le street office:  
Karbon Homes  
Bowes Offices, Lambton Park  
Chester le Street, County Durham

**Telephone: 0808 164 0111**  
**Email: [cbl@karbonhomes.co.uk](mailto:cbl@karbonhomes.co.uk)**



Durham County Council  
Crook Civic Centre, North Terrace  
Crook, DL15 9ES

**Telephone: 03000 268 000**  
**Email@ [choicebasedlettings@durham.gov.uk](mailto:choicebasedlettings@durham.gov.uk)**



Livin Housing, Farrel House, Arlington Way  
DurhamGate, Spennymoor  
County Durham, DL16 6NL



North Star Housing, 14A Redwell Court  
Harmire Enterprise Park, Harmire Road  
Barnard Castle, County Durham, DL12 8BN

**Telephone: 03000 11 00 11**  
**Email: [enquiries@teesdaleusers.co.uk](mailto:enquiries@teesdaleusers.co.uk)**



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