

Lettings Policy Emergency Amendment Covid-19 Response - March 2020 Note reviewed and updated June 2020

1. Introduction

- 1.1 In light of the restrictions imposed as a result of the Covid-19 pandemic, self-isolation rules and social distancing rules, the choice based lettings element of the current lettings policy is suspended and the direct let element of the policy amended as set below until further notice to allow allocations to be made in line with current government guidance.
- 1.2 Following the announcement on 12th May and the additional government guidance provided on 13th May and 1st June, this policy has been revised to expand the panel criteria as a response to the increasing availability of void properties deemed unsuitable for people in the initially agreed priority groups.
- 1.3 The main aims around the emergency response are to:
- Ensure a fair and consistent process across the city which adapts to a developing emergency situation
 - Ensure void properties are allocated as quickly as possible to those most in need whose personal circumstances make them more vulnerable in respect of the Covid-19 crisis
 - Minimise disruption and risk to Housing Leeds teams and provide a clear framework which can be followed easily at a local level

2. Covid-19 Government Guidelines

- 2.1. Central Government have issued guidelines around when it is appropriate to leave home which initially focused on only going outside for food, health reasons or work. The government guidance has been updated to enable more movement of people in certain circumstances, including when needing to move home. The updated provisions around self-isolation and safe working practices continue to impact on the supply and availability of void properties to re-let. The current lettings policy allocates based on an assessed housing need or an early date of registration and the priorities for allocation were initially amended to avoid encouraging unnecessary travel and . allow customers to follow the advice around self-isolation, whilst ensuring customers most at risk during the Covid-19 crisis could access available housing

- 2.2. The current crisis has significantly reduced the availability of void housing stock for lettings therefore the emergency lettings scheme is also required to ensure those most at risk during the Covid-19 crisis will be prioritised for available accommodation.
- 2.3. As measures are lifted, this policy will be reviewed to ensure that as the availability of void housing stock increases and national guidance allows, we widen this policy to allow an increase in the number of allocations made to assist more people who have an urgent housing need.
- 2.4. In the first draft of the policy, 4 main priority groups were determined as being those most in need of accommodation in light of the Covid-19 crisis.
- 2.5. The policy has been reviewed as of the most recent announcement on 12th May and guidance updates on 13th May and 1st June and 4 priority groups in paragraph 3.3 have been added that can also be considered at panel for any properties available that are not suitable for the current applicants in the highest priority groups in paragraph 3.2

3. Priority Groups

- 3.1. It is anticipated that the customers falling into these category groups will also belong to the reasonable preference categories set out in the Housing Act 1996.

3.2. First Tier Priority Groups

Delayed Transfer	<ul style="list-style-type: none"> • Hospital discharge cases • Ready to leave intermediary care • Customers in supported or temporary accommodation who no longer require supported accommodation
High Risk Medical	<ul style="list-style-type: none"> • Inadequately housed customers with severe medical needs where failure to rehouse quickly could result in hospitalisation
High Risk Overcrowded	<ul style="list-style-type: none"> • Overcrowded households where severe medical needs and lack of ability to self-isolate could lead to hospitalisation
High Risk Homeless	<ul style="list-style-type: none"> • High risk domestic violence cases where no temporary accommodation is available • Homeless persons where no temporary accommodation is available or where their move will facilitate an urgent temporary accommodation place being

	made available where customer does not require supported accommodation
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3.3. **Second Tier Priority Groups**

Disrepair	<ul style="list-style-type: none"> Leeds City Council tenants who need to move from accommodation to facilitate repairs where failure to move could result in harm (temporary or permanent move)
Homeless	<ul style="list-style-type: none"> Homeless persons moving into permanent local authority accommodation where an allocation of social housing would free up an assured shorthold tenancy in the private sector Homeless persons leaving hotel accommodation with an additional need for local authority accommodation who do not require supported accommodation
Medical Needs	<ul style="list-style-type: none"> Customers requiring adapted properties where an alternative match cannot be made under the first tier criteria
Cost Saving	<ul style="list-style-type: none"> Cases where a move could demonstrate a cost saving to the local authority

4. **Direct Lettings Panel**

- 4.1. Ready to let void properties will be referred to a Direct Lettings Panel who will match cases which meet the criteria above with the appropriate accommodation.
- 4.2. Services have developed in-house case referral methods to ensure front line staff have a way to highlight and escalate high risk cases to be presented at the panel for consideration. Customers will not be able to self-refer and will need to be referred by a relevant service such as Housing Options, Health and Housing or Children's Services.
- 4.3. The panel will comprise of officers from the following teams:
- Leeds Housing Options
 - Health & Housing
 - Lettings Teams
 - Property Management Teams
- 4.4. When a match is approved by the panel a direct let offer of suitable accommodation can be made to the customer utilising the amended Leeds City Council Emergency Lettings Policy - March 2020 – Amended May 2020

emergency lettings procedure (Section 13 – Covid-19 emergency lettings). The customer will need to have an active housing application and appropriate identification though this could be waived or attained post allocation in extenuating circumstances, as agreed by the panel.

- 4.5. Property Size and Type – the Council will endeavour to match customers to property size and type as set out in the suspended lettings procedure however in the exceptional circumstances of the Covid-19 Crisis this may not always be possible.

5. **Refusal of an offer**

- 5.1. When a customer refuses an offer of accommodation the council will consider whether the refusal was reasonable.

- 5.2. Every decision will be made on a case by case basis, however, the council will take into account the following factors:

- a) property size – based on the customer’s assessed bedroom requirements (in the exceptional Covid-19 crisis circumstances it may not be possible to always meet the usual Council criteria for bedroom need contained in the suspended lettings policy);
- b) property type – based on the lettings policy criteria, medical housing or council-approved occupational therapist’s recommendation (in the exceptional Covid-19 crisis circumstances it may not be possible to always meet the usual Council criteria for property type contained in the suspended lettings policy);
- c) property condition – whether the property meets a habitable standard, or will meet it following repairs that will be done before the applicant moves into the property;
- d) whether the property has the potential to meet a disabled customer’s needs following adaptation. This will be based on the recommendation of a council-approved occupational therapist;
- e) geographical location of the property – whether the property is within a reasonable travelling distance for employment, support, schools and considering the reason for any priority award (in the exceptional Covid-19 crisis circumstances it may not be possible to always meet the usual Council criteria for geographical location contained in the suspended lettings policy);
- f) the demand for and supply of similar properties in the customer’s preferred areas during the Covid-19 crisis;

- 5.3. Where an offer is made of a suitable property in terms of size, type, condition and geographical location (taking into account supply and demand for void lettable properties during the Covid-19 crisis), the council will generally consider a refusal to be unreasonable.

- 5.4. An unreasonable refusal could result in the customer's priority being withdrawn and their application reverting to Band C.
- 5.5. If a customer in Band C refuses a reasonable offer of suitable accommodation their date of registration on the Leeds Homes Register may be reset to the date of the refusal.
- 5.6. If a homeless customer who is owed a relief duty refuses a reasonable offer of suitable accommodation, they may have the duty they are owed by the Council discharged on the grounds that they have refused a final offer of accommodation made under Part VI of the Housing Act 1996 for the purposes of s. 189B (2) Housing Act 1996 Part VII.
- 5.7. If a homeless customer who is owed a main housing duty under S.193 refuses a reasonable offer of suitable accommodation, they may also have the duty they are owed by the Council discharged.
- 5.8. Customers have the right to request a review of the decision to remove their priority or change their date of application following the refusal of an offer of accommodation. Statutorily homeless customers have an additional right to request a review of the suitability of the accommodation offered to discharge the council's duty to them, regardless of whether or not they accept the offer.

6. Review of the emergency lettings procedure

- 6.1. This procedure will be reviewed at any point when there is an update in any Legislation, Regulations or Guidance issues by the Government in relation to the Covid-19 crisis which may affect this procedure.
- 6.2. In any event this procedure will be reviewed every 3 weeks (first review to take place 23rd April).

7. Statutory review

The statutory review provisions of the suspended lettings policy still apply.