

# **Lettings Policy Emergency Amendment Covid-19 Response - March 2020 Note reviewed and updated August 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 was 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 12<sup>th</sup> May and the additional government guidance provided on 13<sup>th</sup> May and 1<sup>st</sup> June, this policy was 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.
- 1.1 In November, the policy has been further revised due to the re-introduction of choice based lettings on a large scale. The emergency policy remains in place for those whose housing need is significantly and directly affected by Covid-19 and any related policies, whilst also allowing the rest of the housing register to bid as usual for the majority of Leeds City Council and Housing Association properties.
- 1.2 The main aims around the emergency response has been 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
  - Following the November 2020 review the main aim of the policy will be to facilitate the move-on and rehousing of people in current temporary or supported accommodation and anyone seriously impacted or at risk due to the Covid-19 pandemic. The priority categories have been amended to reflect this.

## **2. Covid-19 Government Guidelines**

- 2.1. Central Government issued guidelines around when it was appropriate to leave home which initially focused on only going outside for food, health reasons or work. The current choice based 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 government guidance has been updated to enable more movement of people in certain circumstances, including when needing to move home. The Government amendment to COVID-19 regulations making clear people wishing to move home can do so, together with the implementation of safe working practices following the government guidance, has increased the supply and availability of void properties. This has not been greatly impacted by the new restrictions introduced on 5 November 2020 as the government has advised that people are able to continue to move house and to work in private properties in a Covid secure way.
- 2.3. With amended government regulations the availability of void housing stock has increased which means that LCC can now advertise and allocate properties through the normal choice based lettings process using the Councils lettings policy. The emergency lettings scheme is also continuing for the time being, in conjunction with the normal lettings policy processes, to ensure that those most at risk during the Covid-19 crisis will be prioritised for available accommodation and that those currently occupying temporary or supported accommodation will be able to move on quickly from that provision when appropriate.
- 2.4. As measures are lifted, this policy has been reviewed and will continue to be reviewed to ensure that as the availability of void housing stock increases and as national guidance allows, we change this policy to allow a change in the number of allocations made through the emergency panel to assist more people who have an urgent housing need and to re-instate the normal lettings processes as availability of housing stock increases.
- 2.5. 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.
- 2.6. The policy was reviewed as of the announcements on 12<sup>th</sup> May and guidance updates on 13<sup>th</sup> May and 1<sup>st</sup> June, and 4 priority groups were added that could also be considered at panel for any properties available that are not suitable for the current applicants in the highest priority groups.

- 2.7. The policy has now been updated in November 2020 to reflect that the choice based lettings scheme and lettings under the normal lettings policy have restarted as housing stock has become more available and this will now be the main way that people obtain housing as prior to the Covid pandemic. The Emergency Lettings Process will now only apply to those set out below in the amended first tier priority groups so that those displaced as a result of Covid-19 policies to be rehoused quickly.

### 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. **Priority Groups(Amended November 2020)**

Delayed Transfer	<ul style="list-style-type: none"> <li>• Hospital discharge cases</li> <li>• Ready to leave intermediary care</li> </ul>
Covid-19 Impact	<ul style="list-style-type: none"> <li>• Temporary/Supported accommodation cases where rehousing will relieve pressure on services</li> <li>• Customers displaced as a result of Covid-19 policies</li> </ul>

### 4. Direct Lettings (Panel Suspended November 2020 then resumed January 2021)

- 4.1. All lettings will now be carried out under this procedure by the local lettings teams and will be managed by senior officers. The referrals will be made by Leeds Housing Options and Health and Housing to the area lettings teams.
- 4.2. LHO will assess eligibility and hold information of applicants assessed as eligible. This will be shared with Lettings Team in order for Lettings Teams to allocate homes as direct lets. Any liaison with voids and/or adaptations teams in terms of completion of works to happen as with usual voids.
- 4.3. LHO will also be able to refer directly to Housing Associations where appropriate and these lettings will count towards Registered Provider nominations.
- 4.4. The number of people who have been accepted for rehousing under the ELP, number of tenancy commencements via ELP and number of people in hotels will be monitored and if numbers needing rehousing under the ELP increase then the panel may be resurrected at any point. The panel

may also be resurrected at any point if it becomes apparent that there is a need for a more co-ordinated or proactive approach.

- 4.5. 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 to LHO/H&H for consideration. Customers will not be able to self-refer.
- 4.6. When a match is approved a direct let offer of suitable accommodation can be made to the customer utilising the amended emergency lettings procedure. 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.
- 4.7. 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 and/or the customer will no longer be considered for a further offer of a property via the emergency lettings panel.
- 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.
- 5.9. Customers who have refused a reasonable offer of accommodation made via the emergency lettings panel will not be considered for further offers of accommodation via the emergency lettings procedure but they will be able to continue to bid for properties via the normal council lettings policy.

## 6. **Review of the emergency lettings procedure**

Leeds City Council Emergency Lettings Policy - March 2020 – Amended May 2020 – Amended November 2020

- 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 quarterly or when there is a change in the Leeds City Council area risk level (first review to take place January 2021).

## **7. Statutory review**

The statutory review provisions of the lettings policy still apply.