

Grounds for Refusal of Housing

1. Procedure Statement

Tamar seeks to allocate its properties in a fair and transparent way. To make sure this happens Tamar allocates properties via Choice Based Lettings (CBL) systems, developed with its local authority partners and other social landlords. In addition properties will be let in accordance with planning conditions and covenants associated with developments.

2. Procedure Objectives:

Tamar aims to:

- Make sure that new residents are selected fairly
- Provide prospective residents with as much choice in their housing as is practical
- Provide transparency and clarity in the allocation of housing
- Fulfil the obligations Tamar has to our local authority partners
- Ensure the establishment of sustainable communities

Tamar will allocate its properties in accordance with the appropriate Choice Based Lettings systems policies, planning permissions and covenants. These grounds set out the reasons why Tamar may refuse housing to an applicant.

(in these, where we refer to “you” or “your” we include any members of your household or other people included in your application)

3. Skipping applications

During the allocations process Tamar will skip applications in circumstances where

- You have not included an up to date telephone number as part of your application
- Where it has not been possible to contact you by phone or e-mail within 1 working day of your shortlisting
- You do not meet Tamar’s size criteria for the property as set out on our website
- Preference has been given to applicants who have specific accessibility needs that the property satisfies and you do not have these needs.
- The property is not accessible to applicants with your accessibility criteria

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- Where your application does not meet any preference criteria mentioned in the property advert
- Tamar has been unable to get satisfactory supporting evidence from your support worker/provider
- Where you do not meet the planning conditions (Section 106 criteria) or local lettings plan set out in the property advert
- You do not meet the age criteria set out in the advert
- For rentplus properties only, you or a member of your family is working or studying for a qualification.

Applications which will be refused

(a) Based on your application

- Where you fail to meet the standard affordability assessment for the property and, therefore can't afford the rent
- Where there is no evidence that you have a right to reside in the UK and/ or you do not have recourse to public funds
- You have an interest in another property and it is reasonable for you to reside there
- Your application includes pets which are not permitted by Tamar's Pets Policy and or covenants relating to the property and you refuse to rehome them
- Where it is clear that the banding for your application was incorrect, either due to a change of circumstance or because of inaccurate information
- Where you have failed to provide acceptable proof of identity
- You are under the age of 18 and do not have an appropriate guarantor
- You have failed to mention a material fact on your application
- Your circumstances have changed in such a way that your level of priority would also have changed and you have not informed the local authority
- Tamar receive a reference which discloses information that would lead us to refuse the application. An example would be information not disclosed as part of your application.

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(b) Your financial circumstances

- You owe Tamar rent or recharges for a former tenancy and have made no agreement to repay the outstanding amount
- You owe any other landlord, (Social and Private Landlord) over £400 in rent arrears or charges and have not made and kept an agreement to clear these arrears. For example if you owed £350 and demonstrated that you had kept to an arrangement you would be considered for a property
- Your gross Household monthly Income is more than 6 times the Local Housing Allowance in the local authority area for the property type at the time of the application (except rentplus homes). Please note that Attendance Allowance and Disability Living Allowance are disregarded.

As at November 2018 the maximum incomes are as follows;

	1 bed	2 bed	3bed	4 bed
Cornwall	£32,725	£41,283	£47,268	£57,810
Plymouth	£29,378	£38,176	£45,374	£56,924
South Hams	£29,378	£38,176	£45,374	£56,924
West Devon	£29,378	£38,176	£45,374	£56,924

For Rentplus homes the maximum income is £80,000 for any Agreed Period less than or equal to 10 years and £60,000 for properties with an Agreed Period over 10 years.

- You are unable to provide evidence that you can afford the rent
- An assessment of your savings and equity lead us to assess you could afford another housing option in the local authority area where the property you have applied for is located. If you have savings over £16000, the amount where you will not be entitled to Income Support, Income based Job Seekers Allowance (JSA), Income based Employment and Support Allowance (ESA), Universal Credit, Housing Benefit and Council tax support Tamar will not allocate a property to you.

(c) Your support needs

- The property being allocated does not meet your current needs. For example, the property has been adapted for a disability and you don't have one or the property has not been adapted and you need significant adaptations before taking up residence.
- You have failed to engage with a relevant support package or you need a support package and none is being provided

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- Your needs (whether physical, mental or emotional) exceed what Tamar is able to provide
- We have been unable to gain confirmation of your support needs from a support worker

(d) **Your conduct**

- You have previously had a tenancy with Tamar or any other landlord and within the last two years you were served a notice for a breach of their tenancy agreement. For example because of anti-social behaviour or harassment.
- You have previously had a tenancy with Tamar or any other landlord and you caused significant damage to the property
- The condition of your home does not meet a reasonable standard. and this is in your control
- There is evidence you have caused anti-social behaviour within the last two years
- There is evidence that you have substance misuse issues which have resulted in anti-social behaviour or might reasonably do so
- You have been convicted of a criminal offence within the last two years which is linked to substance misuse
- You are a Schedule 1 Offender as defined by the Sexual Offences Act 1997 and we are not satisfied with or have been unable to confirm your risk management plan
- You have used a previous home for illegal or immoral purposes
- You have threatened, abused or perpetrated violence against members of staff of Tamar or any Partner of a choice based lettings scheme.

If you are refused housing on any of the grounds (a) to (d) set out above, Tamar will write to you. We will normally tell you personally or by phone as well.

4. Right of Appeal

You have the right to appeal against a decision to refuse you housing. However, you are required to appeal by the end of the next working day after being told that your application is being refused. The appeal can be verbal, in writing or in person. You will need to set out why you think the wrong decision has been made and provide evidence that it was wrong.

The appeal will be dealt with by the Operations Manager or Operations Director who will respond to any appeal as soon as practical but with an aim of within 24 hours.

6 Viewing

Once an application has been accepted we will offer you a viewing of the property. Once the viewing is complete you will have at least 24 hours to decide as to whether you wish to take the property. Once you have been accepted you will be unable to bid on any other properties.

7 Offering a tenancy

Once you have been accepted we will write to you to formally offer you the tenancy. Once this offer has been made the only way that Tamar will rescind the offer is because:

- a) The property is no longer available and this is outside Tamar's control
- b) You have failed to mention a material fact on your application
- c) Your circumstances have changed in such a way that your level of priority would also have changed and you have not informed the local authority