



Housing Reference Policy

2010

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Arabic

هذه الوثيقة متاحة أيضا بلغات أخرى والأحرف الطباعية الكبيرة وبطريقة سمعية عند الطلب.

Chinese (Cantonese)

本文件也可應要求，製作成其他語文或特大字體版本，也可製作成錄音帶。

Hindi

अनुरोध पर यह दस्तावेज़ अन्य भाषाओं में, बड़े अक्षरों की छपाई और सुनने वाले माध्यम पर भी उपलब्ध है

Polish

Dokument ten jest na życzenie udostępniany także w innych wersjach językowych, w dużym druku lub w formie audio.

Punjabi

ਇਹ ਦਸਤਾਵੇਜ਼ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿਚ, ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ ਅਤੇ ਆਡੀਓ ਟੇਪ 'ਤੇ ਰਿਕਾਰਡ ਹੋਇਆ ਵੀ ਮੰਗ ਕੇ ਲਿਆ ਜਾ ਸਕਦਾ ਹੈ।

Urdu

درخواست پر یہ دستاویز دیگر زبانوں میں، بڑے حروف کی چھپائی اور سننے والے ذرائع پر بھی میسر ہے۔

1. Introduction

This policy is a sub policy of the Housing Allocations Policy. Housing references provide essential information from current and previous social landlords in relation to how tenants maintain or have maintained their tenancy conditions.

1.1 Legal Framework

Housing Scotland Act 2001, Part 1, Section 10 Allocation of Housing

The Anti Social Behaviour etc (Scotland) Act 2004

1.2 Policy Aims

The aim of the Housing Reference Policy is:

- To ensure fair and equal treatment for all applicants
- To enable West Dunbartonshire Council to efficiently manage access to housing for applicants who are or have been in breach of their tenancy conditions.
- To ensure that suspensions from the housing register are carried out in accordance with legislation and good practice.
- To be accountable through an open and transparent appeals process

1.3 Policy Objective

We will ensure that all applicants for housing are given fair and equal opportunities regardless of disability, age, gender, culture, sexual orientation, marital status, or religion in line with Section 106 of the Housing (Scotland) Act 2001.

2. Housing References

Housing references will be sought from applicants and all members of their household over the age of 16 who are applying to be housed with them. All applicants and members of their household over the age of 16 must sign and date the declaration on the housing application form. Housing references are required if an applicant or anyone being housed with them has previously held a tenancy with West Dunbartonshire Council, any other Local Authority or a Registered Social Landlord.

In accordance with good practice we will seek housing references from current and previous social landlords for the past 5 years.

Applicants and members of their household are required to confirm if they are the subject of an Anti Social Behaviour Order (ASBO). If applicants or members of their household are the subject of an Anti Social Behaviour Order (ASBO), they will be offered a Short Scottish Secure Tenancy (SSST) with an agreed package of support. However if the applicant is already housed under a SSST they will not be re-housed until the tenancy converts to a Scottish Secure Tenancy.

We will seek information from current and/or previous landlords on housing related debt, breaches of tenancy conditions and Anti Social Behaviour Orders (ASBO).

We will ask for a response within 14 days. If we do not receive a reply, we will send a reminder letter requesting that the reference be sent within the next 7 days.

Applicant(s) will be considered for offers of housing on receipt of a satisfactory reference.

3. Suspending an application

Applicants can be suspended from the housing register for either conduct reasons or eligibility reasons.

We are committed to minimising the number of suspensions. However, applicants can be suspended from receiving an offer of housing for the following reasons:

- Outstanding Housing Related debt
- Anti Social Behaviour
- Serious breaches of tenancy conditions
- Providing false information

Applicants will be advised of the reasons for the suspension and that they will not be entitled to an offer of housing until:

- (a) a certain period has elapsed
- (b) their conduct has changed
- (c) a change in circumstances has occurred.

(Definition taken from Suspending Housing Applicants: A Practical Guide, CIH, Edinburgh, 2009).

3.1 Housing Related Debt

Applications for housing will be suspended for the following outstanding housing related debts:

- Rent
- Service charges
- Rechargeable repairs
- Cleaning services including clear outs, redecoration, removing graffiti.
- Costs of clearing an abandoned house.
- Costs of storing furniture from an abandoned house.

We will only suspend an application for outstanding housing related debt if it is greater than or equal to 1/12th of the annual rent and the applicant has not made an appropriate repayment arrangement, or has failed to maintain this arrangement for three months.

N.B. Applications will not be suspended for outstanding council tax debts.

4.2 Anti Social Behaviour

If an applicant or any member of their household is subject to an Anti Social Behaviour Order they can still access the housing list. However, any offers of housing will be made on the basis of a Short Scottish Secure Tenancy (SSST) with conditions of support attached to the tenancy. If the applicant is housed under a SSST they will not be rehoused until the tenancy converts to a Scottish Secure Tenancy (SST).

If an applicant has been served with a Notice of Proceedings in relation to Anti Social Behaviour, their housing application will be suspended for the period of the legal notice.

4.3 Tenancy Conditions

We will suspend housing applications if a serious breach of tenancy conditions has occurred. The application will be suspended for period of three months but will be subject to regular review.

If we receive an adverse housing reference which states that there has been a legal notice of proceedings served for breaching tenancy conditions we will suspend the application for the period of the legal notice.

4.4 False Information

We will suspend a housing application if an applicant provides false or misleading information which furthers their housing application. Housing applications will generally be suspended for six months and points reassessed based on the correct information.

4.5 Notifying Applicants of Suspension

Applicants will be notified in writing if their application for housing has been suspended. Applicants will be informed of the reason for the suspension, the period of the suspension and what is required to remove the suspension. Applicants will be advised of the appeals process and provided with a list of independent advice agencies who can assist should the applicant decide to appeal the suspension.

4.6 Appeals

Applicants have the right to appeal the suspension. Appeals can be made in person, in writing, or by a third party. If made by a third party, appropriate permissions must be granted by the applicant.

Applicants will be notified of the outcome of their appeal within 14 days from the date of receipt of the appeal.

5. Staff training

We provide training for all staff to ensure that this policy and associated policies and procedures are carried out in line with legislation and best practice.

6. Consultation

When developing aspects of this policy, consultation has taken place with residents and tenants organisations as well as other stakeholder groups.

7. Monitoring and Reporting

We will monitor the use of suspensions from the housing register to ensure that the process is transparent and in accordance with our policy and procedures.

This information will be used as part of our commitment to continuous improvement in all aspects of the Allocations process.

Appendix 1

Associated Documents

West Dunbartonshire Council Housing Allocations Policy 2010

West Dunbartonshire Anti Social Behaviour Policy 2010

West Dunbartonshire Council Suspensions Guidance