



Title: Lettings (Choice Based Lettings) - Sanctuary Scotland Procedure

Business Function: Housing Functions across Sanctuary Scotland

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AG01 - Common Housing Register Guidance

AG02 - Choice Based Lettings Guidance

AG03 - Management transfer guidance

General Information

1. Objective of this procedure

- 1.1 This procedure provides an overview of how Sanctuary Scotland (Sanctuary) will allocate its properties in a fair and transparent manner which is compliant with relevant legislation.
- 1.2 This procedure relates to the [Lettings - Sanctuary Scotland Policy](#) and Additional Guidance.

2. Legislative/Regulatory context

- [A Housing Practitioner's Guide to Integrating Asylum Seekers and Refugees, Second Editions, Scottish Refugee Council](#)
- [Customer Contact, Complaints Handling and Compensation Procedure - Sanctuary in Scotland](#)
- [Data Protection Act 2018](#)
- [General Data Protection Regulation](#)
- [Data Protection - Group Policy and Procedure](#)
- [Equality Act 2010 and the Equality Act 2010 \(specific duties\) \(Scotland\) Regulations 2012](#)
- [Homelessness etc. \(Scotland\) Act 2003](#)
- [Housing \(Scotland\) Act 1987](#)
- [Housing \(Scotland\) Act 2001](#)
- [Housing \(Scotland\) Act 2001 'Homelessness Section 5: Guidance on Good Reason'](#)
- [Housing \(Scotland\) Act 2006](#)
- [Housing \(Scotland\) Act 2010](#)
- [Housing \(Scotland\) Act 2014](#)
- [Human Rights Act 1998](#)
- [The Legal Framework for Social Housing Allocations, Statutory Guidance for Social Landlords. Housing \(Scotland\) Act 2014 \(Scottish Government 2018\)](#)
- [Looked After Children \(Scotland\) Regulations 2009](#)
- [Management of Offenders etc. \(Scotland\) Act 2005](#)
- [Minimum Period for Applications to remain in force - Suspensions Under Section 20B of the Housing \(Scotland\) Act 1987. Statutory Guidance Housing \(Scotland\) Act 2014 \(Scottish Government 2018\)](#)
- [Scottish Government's Code of Guidance on Homelessness 2005](#)
- [The Scottish Social Housing Charter \(2017\)](#)
- [Scottish Government Social Housing Allocations in Scotland: A practice guide February 2019](#)
- [Suspending Housing Applicants: A Practical Guide \(CIH \(book\) 2009\)](#)

3. Responsibilities for implementation

3.1 The Area and/or Housing Manager in each office is responsible for:

- ensuring that this policy is implemented by their staff;
- ensuring that Officers are designated to deal with the allocation of properties;
- monitoring the systems and practices at local levels in terms of dealing with applications and allocation of properties, ensuring that there is a consistent, fair approach; and
- preparing Local Letting Plans for approval by Committee.

4. What's new - What's different?

4.1 April 2024 - Formal review, the following changes have been implemented:

- Minor changes to text and format.
- Changes made to reflect changes in job titles.
- 10.3 and 18.3.2 have been amended to include new management transfer approval process.
- New **AG03** - Management transfer guidance has been added.
- Replaced the reference to HomeHunt with TheseHomes and aligned the procedure with current processes.
- Paragraph 1.3 has been added to detail review and updates of information in paragraph 1.1 when required.
- Section 11 now includes a reference to housing for older people, along with the associated processes.
- Paragraph 15.4 has been added to facilitate additional checks through the Tribunal Online Checker.
- Paragraph 18.3 has been added clarify execution of 'sensitive lets'.
- Paragraph 19.9 has been added to address procedures for multiple viewings during the pre-offer stage.
- Paragraph 22.2 with reference to creating a Lettings case on SAP has been removed.

5. Definitions

5.1 The following definitions aim to support the user's understanding of this procedure.

Choice Based Lettings (CBL)	A scheme which allows persons applying for social rented properties to apply for a property when it becomes vacant. Applicants must register on a CBL registration list in order to view and apply for properties.
TheseHomes	TheseHomes is the Choice Based Lettings scheme used to allocate properties within the North East of Scotland, helping landlords to identify successful applicants and giving reasonable preference to people with significant housing need using 'priority passes'.

Detailed Procedures

A. Initial Enquiry

1. Providing information and advice

- 1.1 If an applicant enquires about making a housing application, they will be directed to the relevant external CBL team, such as TheseHomes. Sanctuary staff should provide contact details and signpost to their website (<https://www.thesehomes.com>) where there is also further information available. Any enquiries received by the external CBL team in person at an office or via email or the phone, will be dealt with directly by them. The external CBL team should also offer guidance on how the CBL process works and can also help to register an applicant directly. Information that may be provided can include:
- an explanation of the application/registration process;
 - housing options advice;
 - information on other housing providers in the area;
 - information on areas where TheseHomes landlords have housing;
 - where people can view available properties: online, partnering landlords' offices, via telephone, or an option to be added to an email mailing list;
 - information on how priority passes are assessed and allocated; and
 - information on stock levels and scheme locations where this is requested (sheltered).
- 1.2 If an applicant asks for a copy of the [Lettings - Sanctuary Scotland Policy](#) this should be provided, but not the procedure. Applicants can also be signposted to relevant websites where information is available such as [TheseHomes website](#). The external CBL team is responsible for reviewing updating any information provided within their own literature.
- 1.3 The information provided in section 1.1. will be reviewed and updated when required; when new areas are available or if the application process or [Lettings - Sanctuary Scotland Policy](#) is changed.
- 1.4 Applicants may need help to complete a housing application, for example, people with literacy problems, non-English speakers or people with learning disabilities. If the applicant is enquiring in person or over the phone, staff should ask if he/she needs assistance, and arrange for a meeting at the local office or a home visit if required. If applicants require information in different formats or languages, this will be arranged by the external CBL team.
- 1.5 In addition to signposting applicants to the relevant CBL system such as TheseHomes, staff should provide information and advice on housing options in the local area, such as mid-market rent, private renting and shared ownership, if the person speaking with the applicant is comfortable with their knowledge in this area. Alternatively, staff should signpost people to their local authority for information on other housing options available to them. Most local authorities have good information on housing options on their website.

- 1.6 Applicants should also be informed about accessing housing through mutual exchange and national exchange schemes such as House Exchange and HomeSwapper. For guidance on dealing with mutual exchange applications refer to the [Mutual Exchange - Scotland policy and procedure](#). These are services which allow applicants to register for a mutual exchange. Users of the service can search on and view properties of other tenants who are looking for an exchange throughout the country. For further details on House Exchange, which is predominantly used in Aberdeen and Aberdeenshire, visit www.houseexchange.org.uk.

B. Registering applicants

2. Processing an application

- 2.1 When a person expresses an interest in using the CBL system to access housing, the external CBL team can either help to register the applicant at a local office or provide guidance on how the applicant can register themselves.
- 2.2 Once an applicant has been registered, they should be given guidance and information about their housing need and priority award. Unless there are issues within the pre-tenancy questions section of the registration, the registrations are automatically provisionally approved by the system. This allows applicants to apply for vacant properties immediately. In instances where there are issues with the pre-tenancy questions the applicant will be unable to apply for a vacant property until the application has been assessed.
- 2.3 The external CBL team will assess any applications in accordance with the TheseHomes guidance. Multiple passes may be awarded if an applicant meets the qualifying criteria. Where a Pass is awarded, correspondence will be sent to the applicant to confirm this.
- 2.4 TheseHomes can limit passes to specific areas, and TheseHomes can limit passes to certain property features which means that an applicant can only use their pass for particular areas or house types where this is considered to help the applicant meet their housing needs. This does not stop an applicant from applying for a house outside of an area or property feature limit. However, it will mean that their pass becomes invalid for these notes of interest.

3. Verifying information

- 3.1 The external CBL team are responsible for reviewing the applicant's information and may request documentation to confirm the accuracy of their application and or housing circumstances.
- 3.2 For all applicants, standard verification information may be requested, at home visit stage, by the Housing Officer. Verification documents may include, but are not limited to two forms of identify such as a national insurance number, copy of passport, driving licence or birth certificate.

- 3.3 Additional verification information may also be required to determine Housing Priority Passes.
- 3.4 If it is found that the applicant has intentionally given false or misleading information in an attempt to secure an offer of property, any Priority Pass will be withdrawn, and the registration will be put on hold for two years.

4. Missing information

- 4.1 If there is any documentation missing from an application, which is required to verify a Priority Pass, applicants should be advised that if the necessary information is not provided, TheseHomes will not be able to make an assessment. If an applicant has a pre-allocation visit from a Housing Officer and missing information is identified at this point, staff should advise the applicant that they cannot be considered for a property until their priority can be verified. Any further information provided by an applicant at this stage would be sent to external the CBL team to re-assess the priority. The applicant should then be advised in writing of the outcome decided by the CBL team.
- 4.2 When information is missing, this should be logged on the TheseHomes application by the external CBL team. This is also relevant where Priority has been rejected because the applicant needs to provide further information. The applicant is sent an email advising them of the information that is required for their application to be re-assessed.

5. Data protection

- 5.1 When recording information about an applicant, it is important to remember that applicants have the right to inspect any record we hold about their application form (which would be created on SAP at an offer stage), a right which is set out in the General Data Protection Regulation. It is important that only information relevant to the application is recorded. It is also important to remember that we hold a lot of confidential personal information, which must not be shared with any other person or organisation without the permission of the applicant. If you have any doubts over whether information should be recorded or shared, then consult the Area or Housing Manager or person of at least equivalent seniority. Refer to the [Group Data Protection - Group Policy and Procedure](#). Sanctuary will also comply with the data sharing agreements in place with TheseHomes in order to deliver an effective allocations service.

C. Assessing an application

6. Eligibility

- 6.1 In Scotland, anyone can apply for housing if they are aged 16 or older. This includes all non-UK nationals (asylum seekers, refugees, EEA nationals, Commonwealth citizens and people subject to immigration control).
- 6.2 The house size applicants are eligible for is set out in the [Lettings - Sanctuary Scotland Policy - Section 8](#) and [AG02](#).

6.3 As part of the registration process, applicants will be asked to complete several statements (declarations) to confirm that they are eligible for housing. If any criteria are not met, then the registration will be suspended until such time that the applicant can demonstrate that the suspension reason no longer applies (unless it is a suspension reason with a specific timescale). For more information on suspensions, see [Section 6 of the Lettings - Sanctuary Scotland Policy](#) and [AG02](#).

7. Awards

7.1 The Awards used in TheseHomes CBL are described in the [Lettings - Sanctuary Scotland Policy](#) and [AG02](#). The external CBL team will assess and confirm any Priority passes awarded using internal guidance such as the 'Definition of Categories'. Some Passes may have an expiry date, or a Pass may be removed if the applicant does not apply for any suitable properties within the expiry date. Applicants may be entitled to appeal this decision where, for example, the advertised properties did not meet their needs and were considered outside of any limits.

7.2 Priority is awarded is based on current level of housing need. It is therefore vital that applicants keep all their details on the application up to date where there is a change of circumstance.

7.3 Where there are joint applicants registered, any Priority Pass awarded is based on one or both of the applicants meeting the qualifying criteria for a priority pass category.

7.4 Where applicants think that they are in housing need on medical grounds, this will be assessed by the external CBL team.

7.5 Where the problem is short term, for example recovering from a car accident, Priority would not normally be awarded based on medical priority.

8. Applicants suffering from harassment or domestic abuse

8.1 If an applicant states that that they are experiencing harassment or domestic abuse on their application, this will be dealt with sensitively and confidentially to ensure their safety. Staff should offer to refer applicants experiencing domestic abuse to the local Women's Aid, or an appropriate advice provider for men such as the Men's Advice Line (see [Catalogue of Advice Providers](#) for more information). If the applicant is a tenant of another social landlord staff may also suggest that they contact their landlord to help them deal with any issues. The applicant should also be informed of their right to apply to their local council under the provisions of Homeless legislation.

8.2 In cases of harassment, the external CBL team may ask the applicant for crime reference numbers, and information about the frequency and types of incidents that are occurring. This is to try and assess the severity of the circumstances and to check the circumstances are current and ongoing at the time the pass is assessed. However, evidence of domestic abuse or harassment will not be a condition of awarding the applicant the appropriate priority.

8.3 Applicants who are current tenants may be considered for a discretionary management transfer and applicants should be advised of appropriate agencies to approach should they wish to do so. Management transfers will be considered on a case by case basis. Housing Officer must complete the Management Transfer Approval form (**Appendix 2**) and submit it to the Area or Housing Manager for review. The Area or Housing Manager will consider the full implications of the transfer ensuring that the applicant's needs are taken into account and obtain approval from the Head of Housing. While supporting evidence from agencies will be considered as part of the management transfer application process, the final decision on whether to approve the management transfer rests with the Head of Housing. Guidance on management transfers is available on in **AG03** - Management Transfer guidance, outlining the criteria for approving management transfers and scenarios illustrating when a management transfer may be considered.

9. Use of supported accommodation or floating support

9.1 The [Lettings - Sanctuary Scotland Policy](#) states that staff may decide that an applicant would be unable to sustain a tenancy and offer to consider them for supported accommodation where available, or refer them for supported accommodation provided by another organisation. This assessment would be made by Housing Officers, not the external CBL team. Sanctuary's supported accommodation will be allocated based on referrals from other agencies such as local authority social work departments.

9.2 Staff may also think that a referral for floating support may be relevant for an applicant who we think may struggle to sustain a tenancy. Factors to consider when making this assessment include:

- Does the applicant have a history of tenancy problems such as rent arrears or antisocial behaviour?
- Does the applicant have a history of failed tenancies?
- Is the applicant a young person with no history of maintaining a tenancy?
- Has the applicant recently been in care or prison?
- Does the applicant have any addictions?
- Does the applicant have mental health problems?
- Does the applicant have a support network of family, friends or other agencies?
- Does the applicant have access to income (including benefits if required) which would cover their rent?

9.3 Where it is considered necessary, staff can ask for evidence before deciding on whether an applicant will be eligible for our mainstream housing or whether it is best to advise that floating support is more appropriate.

10. Confirmation of registration and award

10.1 When an applicant completes registration, the external CBL team will send an email to the applicant confirming:

- any Priority Pass category and Gold, Silver, Bronze level awarded;
- any limits placed on the Priority Pass for property features;
- any expiry date of the Priority Pass;
- the registration date;
- Priority Pass award date;
- the registration number;
- any limits applied to the registration; and
- the property size needed.

11. Sheltered, Housing for Older People and special needs housing

11.1 All Sheltered housing applicants must first be assessed as requiring sheltered housing support service. Any applicants for this type of property must complete the Medical section of the application form. Priority will be given to those over 50 years of age.

11.2 The external CBL team make no assessment about sheltered eligibility. All applicants can apply for sheltered housing. However, in Aberdeen City, Housing Officers are responsible for making the decision on whether an applicant requires sheltered housing. Housing Officers should complete a Single Shared Assessment form at the pre-allocation home visit to obtain information on the applicant's health and support needs. The Housing Officer should discuss the outcome of this visit with an Area or Housing Manager or person of at least equivalent seniority to decide on the eligibility of the applicant for sheltered housing.

11.3 For Housing for Older People, in Aberdeenshire, Housing Officers should ensure they consider the need for the emergency technology system within the property. When activated this links to Sanctuary's Technology Enabled Living team. Therefore, the applicant will need to pay for the service and also provide contact numbers for use in the case of an emergency. The need for this service will impact the decision of eligibility of applicant.

12. Employees, governing body members and relatives of persons connected with the association

12.1 Applicants are asked on their application form and at the pre-allocation visit if they are employed by Sanctuary or related to any staff members or governing body members. If the applicant is an employee or agent, is a governing body member, or is related to an employee or governing body member, then the relevant Housing Manager or person of at least equivalent seniority must be informed. Any offer to these applicants must be approved in advance. The Area or Housing Manager must complete the ['Request for housing of employees, board members and their relatives'](#) form to ensure compliance with Governance procedures.

D. Applying for a home

13. Noting an interest

- 13.1 It is important to let houses as quickly as possible to minimise the lost rent when the property is empty. When a new build property handover date has been confirmed, or a termination notice has been submitted on an existing property that Sanctuary intends to re-let, staff should generate an advert on These Homes so applicants can apply; or seek a nomination from the relevant organisation or local authority.
- 13.2 Once an applicant is registered, they can apply for any property that is advertised if the property is suitable, for example, it would not result in overcrowding or there are no restrictions on who can apply stated in the advertisement.
- 13.3 If an applicant sees a property advertised through any of the mediums mentioned in 1.1 then they can apply for the property online, in person at any participating landlord office, by phone, by email, or by post. A note of interest must be placed before the closing date and time specified in the advert. If applicants apply for multiple properties, their first note of interest is classed as their first-choice property.
- 13.4 After the closing date, TheseHomes system automatically generates a shortlist of the applicants who have applied for the property. The shortlist is sorted by the system using 'best use' either on bedroom size and / or property features. If more than one applicant makes 'best use' of the property, the successful applicant is the applicant with the highest Priority Pass. In the event of two or more applicants having the same level of priority the person with the earliest pass date is the favoured applicant. The earliest date of registration would be used in the event of two or more applicants making 'best use' and having the same level of housing Priority and priority pass date.
- 13.5 The favoured applicant will be proposed to the landlord of the property. Sanctuary staff will then arrange a pre-allocation visit with the applicant.

14. Home visits

- 14.1 Home visits should be carried out to check that the applicant's circumstances are the same as are recorded on their application. Home visits are good practice, but where logistics are difficult, it can be carried out by a telephone interview.
- 14.2 Where a home visit has been attempted a contact card will be left. The applicant has 24 hours in which to respond to Sanctuary. Failure to respond will be classed as a refusal.
- 14.3 The pre-allocation checklist should be completed at the home visit. Specifically, we should consider the following at the home visit:
- Is the applicant in the correct category and has the correct priority awarded?

- Does the accommodation match their choices and needs?
- Are the details on the application form correct, for example current sleeping arrangements, medical needs, and so on?
- Is the applicant's current home and garden in a satisfactory condition?
- Does the applicant have any support needs such as benefiting from a referral for support or money advice.

14.4 At the home visit the applicant will also be asked to sign a declaration confirming that the information on their form is complete and accurate and giving consent to make enquiries to confirm this information. Where an applicant does not live within reasonable travelling distance of one of the Association's offices, a local RSL may be requested to make a visit on our behalf. Alternatively, a Housing Officer may complete the pre-allocation checklist over the phone with the applicant and may approach their current landlord to ask about the size and condition of the property.

14.5 The implications of moving on an applicant's eligibility for housing benefit or universal credit should be discussed with the applicant.

15. Checks on tenancy history

15.1 An applicant's tenancy history should be checked at the pre-allocation stage to determine if an offer can be made. If the applicant is a current or former tenant of the Sanctuary, then SAP must be checked for:

- rent arrears and or sundry debts owing to the Group and if there is a current payment arrangement in place for these;
- evidence of Antisocial Behaviour (ASB);
- evidence of previous convictions where the applicant has certain previous convictions; the applicant has had an order for recovery of possession on certain grounds made against them; and / or a previous tenancy has been terminated on the grounds of abandonment or neglect of the property;
- evidence of false misleading or withheld information;
- whether the applicant has intentionally worsened their own circumstances to promote their application for housing;
- any other breaches of tenancy; and/or
- whether an applicant has been violent or aggressive towards staff.

15.2 Staff should also request references for the applicant's current tenancy and other tenancies held within the previous three years.

15.3 References should also be requested from private landlords. However, references from private landlords should be treated with caution, for several reasons including:

- Private landlords may not keep detailed tenancy records and there could be doubts about the quality and reliability of the information.
- Some applicants may not have been able to get their private landlord to agree an affordable or reasonable repayment agreement for their arrears.
- Private landlords may be less likely to agree a long-term repayment plan and may be more likely to end the tenancy at the end of the fixed term period.

- 15.4 Further checks can be made via the [Tribunal Online Checker](#) . This provides information about any cases that a private landlord has taken action against a tenant and confirms the outcome.
- 15.5 Also, in some cases Sanctuary may have useful links with local authorities who will be working closely with private landlords to encourage them to house people and reduce pressure on waiting lists. In these cases, staff may act on information provided by a private landlord, for example by suspending an applicant for rent arrears.

16. Selecting an applicant

- 16.1 After completing the home visit, the Housing Officer should determine if the applicant meets criteria for the property. If they do, then the Housing Officer should pass the application across to the Area or Housing Manager for approval. If the Housing Officer has queries about the application or information provided, then they should discuss the outcome with the Area Manager or Housing Manager using information on the application form and pre-allocation visit checklist to determine if an offer can be made.
- 16.2 Where an applicant requires a ground floor property, a medical professional may have advised that a property with any stairs at all is not suitable. However, if there is no such restriction in place, we might be able to alleviate an applicant's situation by moving to a property e.g. with one stair up to the front door. If this is the case, we should consider whether any further adaptations to the property may be required. It is important to bear in mind that an occupational therapist may not provide approval for adaptations such as a level access shower if there are stairs in the property. We also need to consider any potential impact on our own adaptations budget. If there are any doubts over suitability, then the Housing Manager should be consulted.
- 16.3 If the Area Manager or Housing Manager rejects the proposed applicant, the next eligible applicant will be proposed for an offer in accordance with the guidance set out in section 13.3 above. The Housing Officer should record the bypass reason on These Homes and update the application if necessary (for example if a suspension reason applies). The Housing Officer should return to the shortlist to decide on whether another applicant who have already received a home visit can be considered most suitable, or if more home visits to applicants next on the shortlist should be arranged and the process repeated.
- 16.4 If there are no suitable applicants on the CBL shortlist, the Housing Officer must record the reasons why and save this in the house file. The Housing Officer must also update and close the shortlist in the CBL system. The Housing Officer can choose to readvertise the property, or they can request a nomination.

17. Nominations and section 5 referrals

- 17.1 The Housing Officer should liaise with the local authority as early as possible, and where relevant provide detailed information on the characteristics of the property so that they can find a suitable applicant.
- 17.2 If a nomination is to be invited, staff should liaise with the local authority as early as possible, providing detailed information on the characteristics of the property so that they can find a suitable applicant.
- 17.3 When a nomination has been identified, staff should carry out the home visit. If the applicant does not currently have a live Sanctuary application, then they should complete an application form during the home visit. At the home visit checks should be completed to ensure that the applicant's household circumstances and needs match the property to be allocated. If there is any reason why the property is not suitable then staff will inform the applicant at the earliest opportunity.
- 17.4 When a suitable applicant has been identified through the nominations process, staff should create an application on SAP and place the applicant in the nomination band in line with the categories used in TheseHomes. The nomination band should therefore only be used when there is an applicant who has been put forward by a local authority for a specific property. The level of priority of the nomination should be recorded on the home visit and tenancy changes.
- 17.5 Once the outcome of the nomination is confirmed the council must be advised, within seven working days. This allows them to update their records.

18. Bypassing applicants

- 18.1 When making allocation decisions it is important to consider the match between the needs of the applicant and the suitability of the property, and making best use of the housing stock. If an applicant is not considered to be suitable for the property, the bypass reasons should be recorded on the shortlist in the Sanctuary Scotland house file for audit purposes by the Housing Officer. The electronic shortlist must also be updated for audit purposes. Normally, the Housing Officer should add a note onto the TheseHomes application registered. Applicants would then be advised by the Housing Officer that they are no longer being considered for the property with an explanation of the reasons why.
- 18.2 There is an allowance in the Lettings Policy to make a management transfer, where an existing tenant will be transferred due to exceptional circumstances, even though they do not have high enough priority to be considered for the house. Such transfers should be kept to a minimum, and caution should be exercised to ensure that staff do not use management transfers simply to appease applicants who are dissatisfied with the level of priority they have been awarded - such applicants should be informed about the appeals and complaints procedure. All use of management transfers must be approved and bypass reasons recorded on SAP. Housing Officer must complete the Management Transfer Approval form (**Appendix 2**) and submit it to the Area or Housing

Manager for review. The Area or Housing Manager will consider the full implications of the transfer ensuring that the applicant's needs are taken into account and obtain approval from the Head of Housing. While supporting evidence from agencies will be considered as part of the management transfer application process, the final decision on whether to approve the management transfer rests with the Head of Housing. Guidance on management transfers is available on in **AG03** - Management Transfer guidance, outlining the criteria for approving management transfers and scenarios illustrating when a management transfer may be considered.

- 18.3 Staff may also choose to use a 'sensitive let' where we bypass an applicant at the top of the list because staff feel they might struggle to sustain a tenancy in that property, or because the balance of the community would be affected in such a way that has the potential to create conflict or tensions between neighbours. When making sensitive lets staff must make sure that the let goes to the appropriate applicant who is closest to the top of the relevant list, to make sure that we are still considering the 'reasonable preference' categories of need. Staff should use all available information to consider the impact of sensitive lets on the housing chances of people being considered for bypassing, particularly if they have already been bypassed, as our policy states that 'any applicant bypassed would normally be offered housing in the near future.' Use of a sensitive let must first be set out in the Local Lettings Plan. All uses of sensitive let must be approved by the Area or Housing Manager or person of at least equivalent seniority, and bypass reasons recorded on SAP.

E. Making an offer

19. Producing and recording offers

- 19.1 It is important to let houses as quickly as possible to minimise the lost rent when the property is empty. If the Area Manager or Housing Manager has approved making an offer to the proposed applicant, staff will contact the applicant to verbally make a formal offer and establish if they are interested in viewing the property. An audit trail of this selection must be kept on SAP. This should be presented with the pre-allocation checklist to the Area or Housing Manager or person of at least equivalent seniority for approval.
- 19.2 If the applicant is interested, staff should create an offer on SAP and print and send the offer letter to confirm the offer in writing. Staff should explain to the applicant that offers are provisional as termination notices can be retracted or vacant properties may need to be used for emergency decants.
- 19.3 The offer letter will also include details of rent payments; it is expected that rent payment will be made in advance in accordance with the tenancy conditions at the time the tenancy commences. The minimum payment which will be accepted will be made clear in the offer of let. If the successful applicant cannot be contacted to make a verbal offer, the offer letter should still be sent.

- 19.4 If the applicant states that they are not interested in the property after receiving a formal offer, this should be recorded as a refusal on TheseHomes and in Tenancy Changes. Staff can then begin the process to offer the property to the next applicant on the list or seek a new nomination. Where possible, staff should request written confirmation of a refused offer unless attempts have been made to contact the applicant and there has been no response.
- 19.5 Applicants have up to three working days from the date of the offer letter being sent to refuse the offer or to arrange a viewing. Refusals can be accepted in writing or verbally. If there is no response to the offer letter and the applicant cannot be contacted, then this should be recorded as a refusal. Where this is done, staff should confirm this in writing to the applicant to note that the property has been refused.
- 19.6 Viewing of the property will be by way of an accompanied visit in the presence of a member of staff. Where possible, viewing will be carried out before the outgoing tenant vacates the property. Viewings should be arranged for as early as possible. Applicants should be given a copy of the re-let standard and this should be discussed and completed during the viewing. A signed copy should then be provided with the sign-up paperwork.
- 19.7 If possible, the Housing Officer should encourage the applicant to confirm their decision to accept or refuse the offer or express interest in the property at the viewing. If this is not possible, applicants should be given up to one working day after viewing a property to decide if they would like to accept it. This may be extended by a further working day in special circumstances, although this should be discussed with the Area or Housing Manager, or person of at least equivalent seniority if practical. Verbal or written notification will be accepted.
- 19.8 Where demand for a property is likely to be low, Housing Officers may contact the first three applicants on the shortlist to invite expressions of interest. If this is done, the applicants are advised that they are not the only persons being considered for the property. If applicants respond to this, a home visit and viewing would be arranged for the applicant who is considered to make best use of stock and has the highest priority in accordance with [Lettings - Sanctuary Scotland Policy](#).
- 19.9 At the pre-offer stage, multiple viewings may also be arranged where demand for a property is likely to be low. After inviting expressions of interest, multiple interested applicants may be invited to view the property (if the Housing Officer has worked down the list and struggling to allocate the property). This is to speed up the time it will take to get someone to accept the property. Individual appointment times should be staggered, with each applicant being given an agreed time to view.

- 19.10 Where an applicant is in a social tenancy or is renting privately, they should be advised to hand in their notice. This will enable them to move into the property they are to be offered, as soon as possible. If they do not hand in their notice this may delay their timescale for moving into their new tenancy, this may impact on their ability to pay rent, particularly for applicants in receipt of housing benefit /universal credit which may not be paid for two properties (unless they are waiting on aids/adaptations to be completed in the new property). This will increase the void period and impact on rent loss.
- 19.11 The outcome of an offer may be that the applicant accepts, and then changes their mind, or refuses. Staff may also decide to withdraw an offer where, for example, it becomes apparent that any of the suspension or application cancellation reasons apply. All these scenarios must be recorded on These Homes.

20. Refusals

- 20.1 If an applicant refuses an offer, then staff, usually the Housing Officer when they are dealing with the applicant, should advise of the refusal policy. That is if an applicant refuses two reasonable offers of housing, then their application may be suspended as per [Section 6 of the Lettings - Sanctuary Scotland Policy](#). The applicant should be advised to review their choices on their application and only apply for properties where they know the area and are interested in.
- 20.2 Any refusals will be confirmed by sending the applicant a refusal letter.

21. Welfare benefits and referrals for advice

- 21.1 If the applicant has no income from employment or a low income, we should assist the applicant in completing a housing benefit or universal credit application at the earliest possible stage. All new tenants should be offered an appointment with the relevant Welfare Rights Officer. The Welfare Rights Officer will be able to sign post the new tenant to relevant local services, such as furniture providers.
- 21.2 For further information on pre-tenancy income and expenditure advice, refer to the [Income Management - Sanctuary Scotland Procedure](#).

22. Exchange of Contracts (Sign up)

- 22.1 When the applicant has accepted an offer, Housing Officers must complete the Planning Sheet. Assistant Housing Officers should then complete their actions on the New Tenancy Checklist before preparing for a sign up: creating the contract, printing the tenancy agreement and collating the relevant paperwork.
- 22.2 Staff should aim to sign contracts (sign up) within one working day of viewing the property and the offer being accepted. This timescale may be extended by a further working day in special circumstances. If the applicant fails to sign the tenancy agreement, the offer will be withdrawn and recorded as a refusal.

- 22.3 Once the tenancy has been accepted, the Assistant Housing Officer should review the shortlist on TheseHomes and ensure it is correct, with the correct offer being registered. They then close the shortlist.

F. Application Management

23. Annual review of applications

- 23.1 The TheseHomes system has an automatic review which contacts applicants, who have not actively used the system within the past year. Applicants are sent an email which asks them to log into their account and complete the review, to confirm that they wish to remain registered for housing. Applicants who do not respond to this review will be removed from the registration list.
- 23.2 In instances where an applicant makes contact with the CBL Team and advises they are unable to complete the review, assistance will be provided.
- 23.3 If an application is cancelled due to no response, the external CBL team will be responsible for deciding if an application can be reinstated on request. Normally applications would only be re-instated in extenuating circumstances. Applicants who have an application cancelled can re-apply by completing a new application.
- 23.4 Staff should be aware that there can be barriers which prevent applicants responding, such as literacy or language problems, or the fact that the applicant has no fixed address and is moving from place to place. Such details should be recorded in the applicant's notes. We should refer to these when reviewing applications, particularly if there has been no response and we are considering cancelling the application.

24. Change of circumstances

- 24.1 Applicants are responsible for updating their application or contacting the external CBL team to inform them about changes in circumstances and request that their application is updated. Examples of changes of circumstances include:
- change of address;
 - people joining or leaving the household;
 - change of choice of location(s);
 - pregnancy/birth of a child;
 - relationship breakdown;
 - change to the medical circumstances of anyone included in the application;
 - death of a household member;
 - death of a joint applicant;
 - the applicant has been imprisoned; or
 - any other material circumstances that change their housing application.

- 24.2 Where the applicant has changed address the CBL team will remove any existing Priority Pass (except in the case of gold homeless passes) advise the applicant to re-apply, based on their new circumstances. Any new Priority will be valid from the date the Pass is assessed.
- 24.3 For any other change of circumstance, the applicant should complete the online change of circumstance form via their application and the external CBL team will re-assess the application and advise accordingly. Information would also be accepted in email format, as this can be uploaded to the application as a written record. Changes may also be accepted verbally, but a note on the external system must be recorded to confirm this has been taken verbally.
- 24.4 When an applicant moves up a priority band, the band date is the date of the change in circumstances. When changing circumstances, it is important to change the 'status start date' of the priority pass.
- 24.5 If an applicant appears to be unfairly disadvantaged by applying the guidelines set out in this procedure, the Housing Manager may approve a decision to allow an applicant to keep the original date for the priority awarded.

25. Cancellations

- 25.1 Circumstances for cancelling an application are set out in the [Lettings - Sanctuary Scotland Policy - Section 15](#) and any additional information is included in [AG02](#). These are:
- the applicant asks us to cancel their application;
 - the death of an applicant; or
 - the applicant repeatedly fails to respond to a review of the list or to other correspondence, for example in relation to missing information.
- 25.2 Cancelled applications are actioned and managed by the external CBL team. If an applicant wishes to appeal the decision to cancel their application, staff should signpost the applicant to the external CBL team.

26. Suspensions

- 26.1 Reasons for suspending an applicant are set out in [Section 6 of the Lettings - Sanctuary Scotland Policy](#) and [AG02](#), and these will normally be applied when an applicant initially registers with TheseHomes. However, where an applicant is at an offer stage and a suspension reason is identified, the Area or Housing Manager can take the decision to suspend an applicant. Where this is decided, staff must record this on TheseHomes and SAP as a reason for the offer being rejected. Staff should also inform the applicant of the reasons for suspension, explain that they will not be offered any properties while they are suspended, and tell them what steps they need to take for the suspension to be removed.
- 26.2 For applicants with rent arrears and/or other tenancy related debts, our policy sets out that for a suspension to be cleared an applicant must reduce the debt to a level below one twelfth of the annual amount payable or must have an appropriate arrangement to pay outstanding debts which has been maintained

for the previous three months. It is important that any repayment agreement is realistic. Important factors to consider are the applicant's willingness to address the debt and affordability of the agreement to the applicant.

- 26.3 Tenants with under occupancy charge arrears only, should not be suspended from receiving an offer of housing.
- 26.4 Applicants affected by the under-occupancy charge and with pre-existing arrears, will be suspended if they have not kept to an appropriate arrangement for at least three months. A tenant may be affected by the under-occupancy charge, making payments over and above the housing benefit that is received, but their arrears remain static or are increasing. This may be an applicant for whom we are receiving Third Party Deductions (Arrears Direct). In this circumstance it is reasonable for us to say that what they are paying is an appropriate arrangement, and if they stick to this for three months then there is no reason to suspend their application. If rehoused, we would expect the tenant to sign the mandate saying that they will pay off the arrears. The final decision on any transfer will normally be made by the Area or Housing Manager or person of at least equivalent seniority.
- 26.5 For applicants who have intentionally worsened their circumstances, the decision to suspend is at the discretion of the Area Manager or external CBL team.
- 26.6 As far as possible we should try to make personal contact with applicants who are suspended and encourage them to take steps to address their suspension. Applicants with rent arrears should be offered a referral to our welfare benefits service where appropriate, and signposted to the local Citizens Advice Scotland or local authority where there are wider debt issues.
- 26.7 Suspending for anti-social behaviour should be used with caution. The effects on the household of suspending for anti-social behaviour should be considered, as well as the fact that suspension is unlikely to address any underlying difficulties. Use of a short Scottish Secure Tenancy may well be a more appropriate option. Further guidance is available in the CIH publication Suspending Housing Applicants: A Practical Guide.
- 26.8 Sanctuary cannot suspend people who we owe a duty of rehousing to under the [Housing \(Scotland\) Act 2001](#). This means that if we get a section 5 referral for an applicant who is suspended then we must still rehouse that applicant.

Staff must ensure that suspended applications are reviewed regularly, particularly those with a time limit of six months (voluntary suspensions and refused offers) and up to three years for all other scenarios. Applicants with suspensions should have a 'review date' set to the date suspension expires.

- 26.9 If the suspension can be removed because the time limit has expired and no further suspension reasons apply, the status of the application will be set to 'live'.

26.10 If further grounds for suspension have occurred that are specifically related to conduct, the application will remain suspended from the time the act was committed. This will be on a three-year rolling basis.

Supporting Information

- [Aids and Adaptations - Scotland Policy and Procedure](#)
- [Content and Records Management -Group Policy and Procedure, Appendix 1 - Retention Schedule](#)
- [Privacy Statement Register](#)
- [Data Protection - Group Policy and Procedure](#)
- [Lettings - Scotland Policy](#)
- [Mutual Exchange - Scotland Policy and Procedure](#)