

1. Allocations & Tenancy Policy

2. Reference Number 4.0

3. Statement of intent including cross-reference to bdht's Corporate and Directorate objectives

- 3.1 bdht aims to be the leading provider of homes for those in housing need in Bromsgrove and the surrounding areas. We are committed to offering our customers choice of accommodation, wherever possible.
- 3.2 The remit of this policy is to detail how bdht will use its allocations to make best use of its stock with the intention of creating balanced and sustainable communities.
- 3.3 The policy sets out the type and length of tenancies granted to tenants, determined by their household make up.
- 3.4 Where applicants have issues accessing the service for example due to disability, no access to the internet or English not being their first language, extra support will be provided.
- 3.5 Mutual exchanges, successions, assignment and decants are dealt with in separate policies.
- 3.6 bdht will support tenants to exercise their Right to Manage, Right to Transfer or otherwise exercise housing management functions, where appropriate.

4. Legal and Regulatory Requirements

- 4.1 bdht will work in accordance with the relevant legislation and regulatory requirements to ensure that the objectives of this policy are met.

4.2 Legislation

- Housing Act 1996 (Schedule 1, Section 160A & Part VI)
- Part VII Housing Act 1996 (as amended by Homelessness Act 2002)
- Homeless Reduction Act 2018
- Equality Act 2010
- Localism Act 2011
- Town and Country Planning Act 1990

- Mental Capacity Act 2005
- Welfare Reform and Work Act 2016
- Immigration Acts 2014 & 2016
- Homeless Reduction Act 2017
- Data Protection Act 2018 and UK General Data Protection Regulation 2021
- Domestic abuse Act 2021
- Allocation of Accommodation: Guidance for Local Housing Authorities in England 2012
- The Regulator for Social Housing's Standards and in particular the Tenancy Standard
- Social Housing (Regulation) Act 2023

4.3 Regulatory Requirement

- Participation in Core
- The RSH regulatory framework for social housing in England
- Tenancy standard – Allocations and mutual exchange.
- Transparency, Influence & Accountability Standard

5. Policy Statement

- 5.1 This policy has been developed to ensure bdht's allocations are fair and transparent. bdht will be flexible when allocating its properties to ensure that any potential tenants, including those with support needs, those who do not speak English as a first language and others who have difficulties with written English are not disadvantaged.
- 5.2 bdht will allocate the majority of its property on the basis of housing need. Properties will be advertised on the Local Authority's Choice Based Lettings system. The Choice Based Lettings system will determine the housing need and will provide bdht with a nomination.
- 5.3 This policy will supersede the relevant Choice Based Lettings policy and the nomination will be required to meet the criteria in the policy to be offered a bdht property.
- 5.4 This policy shall assist bdht in minimising the time properties are void. Each new tenants circumstances will be taken into account when achieving this policy aim.
- 5.5 All tenants will be provided with access to support and relevant advice about their housing options.
- 5.6 This policy supports bdht desire to create sustainable communities and homes. During the allocation process the support requirements of individuals will be considered to increase tenancy sustainability and prevent evictions.
- 5.7 bdht will endeavour to adjust our service/ processes to meet the needs of an individual based on the information we have. For more information, please refer to our Customer Care and Access to Services Policy.

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- 5.8 Customers and prospective customers are welcome to bring advocates, representatives, or support workers along to any interactions they have with bdht.

6. Offer Criteria

- 6.1 All customers will be required to pay 1 months' rent in advance of signing for the tenancy. All new customers will be required to undertake a financial assessment prior to an offer. If the customer is unable to afford this amount then the offer can be withdrawn. If it is established that paying the 1 months' rent in advance would cause financial hardship then an allocation may be approved. We will consider any duties arising under the Equality Act 2010 where financial hardship is advanced.

7. Size, Suitability & Age Criteria

- 7.1 In order to meet housing needs and make best use of limited stock bdht will not normally allocate accommodation where this will result in the property being under-occupied. bdht has adopted the governments criteria setting out the size of accommodation that an applicant can be allocated based on household type and number of bedrooms.
- 7.2 To support bdht in making the most effective and sustainable use of its housing stock, homes are allocated efficiently and fairly in line with organisational priorities and regulatory expectations. Identifying under-occupiers currently living in larger family homes who may benefit from support to move to more appropriately sized accommodation is a focus. bdht will provide targeted incentives and support packages to make moving a positive and practical option (e.g., financial assistance, removals support, personalised rehousing advice). Prioritising allocations so that larger homes released through this programme can be offered quickly to overcrowded families requiring transfer.
- 7.3 Overcrowding and under-occupation are defined in line with the local authority's Allocation Policy. We take a proactive approach to identifying customers affected by these issues by using data from our customer census, which includes specific questions on household size and occupancy. We also use information gathered through home visits, damp and mould reports, and the local authority's allocation system to identify customers who may require support.
- 7.4 For customers who are under-occupying, we offer a full support package to enable a move to smaller accommodation. This includes a named support officer who helps coordinate the move, assesses any barriers, and puts an agreed plan in place. For those experiencing overcrowding, we assist with bidding for suitable properties, provide guidance on mutual exchanges, and where there are support needs, safeguarding concerns or health impacts we refer customers to bdht's 360 Support Team.

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- 7.5 Across all our lettings and support activities, we ensure that equality considerations are fully understood and addressed, including any health, disability, cultural, or household requirements that may influence the suitability of a new home. We monitor the impact and effectiveness of our support and incentive scheme through the annual Lettings Report presented to the Customer Experience Committee.
- 7.6 When a high preference has been awarded e.g. for overcrowding or medical need, moves will not be considered to a property that will not relieve that housing need. Only in exceptional circumstances will an applicant be able to move to a like for like property
- 7.4 Properties that have equipment and adaptations will be allocated wherever possible to customers who require this type of accommodation. This is to make best use of the available stock.
- 7.5 Where a property is deemed unsuitable, because any adjustments that are required are more than the Disabled Facilities Grants (DFG) funding level, the case should be escalated to both the bdht senior management and through them to Bromsgrove District Council, to assess whether there is any additional funding available.
- 7.6 Anyone under 18 cannot legally hold a tenancy. We will only offer accommodation to under 18s if the tenancy is held in trust by a suitable adult or recognised agency, and have relevant support in place. The decision to allocate a tenancy to those under 18 will be agreed by either the Head Sustainable Communities or the Head of Sustainable Homes or the Director of Housing and Communities.

8. Refusal Reasons

- 8.1 There are certain instances when an offer of accommodation may not be made to an applicant even if they are nominated:
- 8.2 **First 12 Months** - bdht will not allocate a property to a bdht tenant who is still in their first 12 months of their tenancy. Tenants who have requested to move because of exceptional circumstances e.g. severe medical need will be considered on an individual basis. Any exceptions will be approved by the Head of Sustainable Communities and the Head of Sustainable Homes.
- 8.3 **Anti-Social Behaviour** – If bdht is satisfied that an applicant or a member of their household has engaged in, or is found guilty of anti-social behaviour so as to make them unsuitable to be a tenant, an offer may be withdrawn. A decision regarding this will be made by the Lettings Manager and the Communities Manager or either The Head of Sustainable Communities or The Head of Sustainable Homes .
- 8.4 **Debt** – Applicants who have tenancy related debt to bdht or to another landlord will be given the opportunity to clear the debt before the offer is withdrawn. If

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the applicant has been evicted from a social housing tenancy, we have right to withdraw the offer. When deciding to withhold an offer due to tenancy related debt, or eviction, consideration will be given to the applicants need to move, the circumstances in which the debt arose and any payment plans in place.

Where applicants have been subject to Domestic abuse, have rent arrears and require to move to alternative accommodation, bdht will allow these customers to have rent arrears exemption to enable them to move. A payment plan will need to be set up to pay back any arrears which will be a condition of any tenancy.

Any decision to proceed with an offer of accommodation to an applicant with debt must be approved by the Lettings Manager or the Head of Sustainable Homes or the Head of Sustainable Communities. The justification for the decision must be recorded.

- 8.5 **Condition of Property** – If an applicant or a member of their household has caused damage to their landlord's property, or if the property is suffering from significant neglect, the applicant will not be considered for an allocation until the damage has been repaired, the property put into a good condition or recharges paid in full. However, exceptions may apply and individual circumstances will be considered.
- 8.6 **Criminal Offences** – If an applicant's offending history is deemed to be a risk to them or those within the community then bdht may withdraw the offer of accommodation. Where an applicant with offending history is offered a property, bdht will work in partnership where possible with the police, social service and other partners. A decision regarding this will be made by the Lettings Manager and the Communities Manager or either The Head of Sustainable Communities or The Head of Sustainable Homes.
- 8.7 **Under occupation** - Where an advert stipulates that preference is for those affected by the under occupation sanction to downsize, then those not affected may not be offered the property.
- 8.8 **Financial Resources** – Where a household has financial means to secure alternative accommodation, this will be grounds for refusing them an offer of accommodation. The following circumstance will meet the criteria for refusal:
- Household that have savings / capital / assets / equity of over £50,000 and they are able to use this to secure suitable alternative accommodation.
 - Households that have a combined income of more than £40,000 per annum and they are able to use this to secure suitable alternative accommodation.

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Applicants will be asked to provide income and asset/savings/capital details at the point of offer and if, at that stage, they exceed the above thresholds. The Lettings Manager or Head of Sustainable Homes or Head of Sustainable Communities will only approve the letting if it is determined the person is unable to secure alternative suitable accommodation.

Where applicant(s) have an exceptional circumstance which can only be met through the provision of affordable housing, then the Lettings Manager or Head of Sustainable Homes or Head of Sustainable Communities can approve the offer of accommodation. Exceptional circumstance could include those subject to domestic abuse and safeguarding concerns, this list is not exhaustive.

- 8.9 **Pets** – If the tenant is unable to meet the conditions in the tenancy agreement.
- 8.10 **Sustaining a Tenancy** – Where bdht determine an applicant would not be able to sustain a tenancy without specific support and a suitable support package is not in place. A proportionate decision not to allocate a property due to being unable to sustain a tenancy will be approved by the Lettings Manager or Head of Sustainable Homes or the Head of Sustainable Communities. e.g. elderly tenant that has specific social care needs that are not being met and bdht are unable to meet them without specialist assistance.
- 8.11 **Right to Rent** – The tenancy holder must have the right to rent and have an immigration status which makes them eligible for social housing.

9. Local Letting Plans

- 9.1 On occasions Local Lettings Plans (LLP) will be used where additional criteria will apply to the allocation. The criteria of the LLP will be in addition to the criteria set out in this policy and supersede it. It will also supersede the criteria detailed in the Home Choice Plus Allocation Policy. Where appropriate LLPs will be formulated with input from partner agencies
- 9.2 Local Lettings Plans will be used in the following circumstances:
- For new developments to ensure a mix of household sizes
 - Where a sensitive let needs to take place e.g. where there has been anti-social behaviour
 - Where properties have experienced low demand or are classed as difficult to let.
 - Where it has been deemed necessary to create sustainable communities.
 - Where a rural lettings policy is in place (see Bromsgrove District Councils rural lettings criteria).
 - Where properties are to be used to assist with mitigating the impact of welfare reform.
- 9.3 Where LLP are in place information regarding the criteria for each property will be provided in the advert. Local Lettings Plans can be found in appendix 1.

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10. Independent Living & Extra Care Schemes

- 10.1 **Independent Living Housing** will normally be offered based on an age restriction or for those that require this type of accommodation. These schemes have a local lettings policy set out in appendix.1.
- 10.2 Before allocation to Independent Living property an assessment of a person's suitability for this type of accommodation will be undertaken. If it is determined that a person is unsuitable for Independent Living accommodation then any offer will be withdrawn.
- 10.3 **Extra Care Housing** - Applicants are required to access extra care by applying to Home Choice Plus, however the bidding process does not apply to these applicants as a separate register is then maintained by the Extra Care allocation panel. Set out in appendix 2 is the local lettings plan for Extra Care Schemes.

11. Transfers

- 11.1 bdht use combined housing registers which includes non bdht tenants and bdht tenants. In order to meet the aim of sustainable communities and control void turnover, when required, preference will be given to applicants who wish to move to alternative bdht property (transfer).
- 11.2 To control the number of bdht tenants transferring, the Lettings Manager in partnership with the Housing Options Manager and Voids Manager, make decisions as to which properties will be restricted for transfers and register lettings.

12. Managed Moves & Decants

- 12.1 bdht may consider a move to alternative accommodation for tenants in exceptional circumstances. This would be done outside of the Local Authorities choice based letting schemes.
- 12.2 Examples of where managed moves may be used are:
- If a tenant is suffering from domestic abuse or harassment
 - If the tenant is unable to live in the property so that it becomes unreasonable for them to remain there e.g, on medical grounds.
 - If an applicant does not have a right to succeed a bdht property however bdht believe that there would be a duty under Part VII Housing Act should they become homeless.
 - Where a property has been used for temporary accommodation under Part VII Housing Act and the tenant is owed the full homeless duty then these tenants will be directly matched to the property.
 - Where a household is owed the full housing duty under Part VII Housing Act and the Housing Options Manager or Head of

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Sustainable Homes approve the property to be directly matched to the household to avoid using alternative temporary accommodation

- Where bdht are to undertake a regeneration project, tenants may be directly allocated another bdht property.
- Following a relationship breakdown where one tenant has ended the tenancy and the joint tenant remains in the property and wishes to remain. Where the remaining tenant meets the eligibility criteria then consideration will be given to allocating the property to this tenant.
- Where a tenant has been moved to a property for a decant but is unable to return to their original property.

12.3 Moves will usually be achieved by a suitable offer of accommodation and all management moves must be approved by the Lettings Manager or Head of Sustainable Communities or Head of Sustainable Homes. All managed/discretionary moves will receive one reasonable offer of accommodation.

12.4 Tenants may be moved (decanted) if vacant possession of their existing property is required. This will be a temporary decant and is covered in the decant policy.

13. Tenancy Types

13.1 Existing Tenants with an Assured (non-shorthold) Tenancy will have their tenancy status protected. This means that if they move to another bdht home they will continue to be granted an Assured (non-shorthold) tenancy. This protection applies equally to homes let at both a Social and an Affordable Rent.

13.2 **Assured lifetime tenancies** - will be offered to all new tenants. Unless they fall into one of the following categories in which case they will be offered assured shorthold tenancies or licences, as appropriate:

- Properties used for homeless temporary accommodation
- Safe house accommodation
- Guest flats
- Market rent

13.3 Where a tenant has moved to alternative accommodation during redevelopment or other works, they will keep security of tenure of their settled accommodation unless they fail to return to it.

13.4 Where bdht manage properties on behalf of other Housing Associations, then their Housing Associations tenancy and tenancy policy will apply.

13.5 Where bdht manage properties on behalf of other Registered Providers, the owning organisations policy will take precedence. Therefore tenancies will be issued in line with the registered providers tenancy policy.

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14. Letting to Staff, Board Members and Involved Residents

- 14.1 bdht have adopted the National Housing Federation Code of Conduct (as revised in 2022). Section D1 of the Code concerns the grant of housing accommodation to staff, board members, involved residents and their families. (An involved resident is defined as a member of the Customer Experience Committee or Customer Insight Panel).
- 14.2 bdht will not allocate to a Board Member, member of staff, involved resident or a close relative unless the following conditions are met:
- The applicant would normally qualify for the tenancy under the terms of the Local Authority allocations policy.
 - The board member, member of staff, or involved resident had no involvement or influence in the allocation process
 - The allocation has been approved by the Director of Housing & Communities
 - In the case of an allocation to a Board Member, a member of the Executive or a member of their family the decision to allocate will be made by Board.
- 14.3 Any offer of accommodation will be subject to being assessed via the conflict of interest policy and procedure.

15. Right of Appeal and Review

- 15.1 A number of decisions in this policy have a right to appeal or review of the decision. The specific details are outlined in the Appeals Procedure.

16. Policy Implementation

- 16.1 All bdht staff will read and adhere to this policy when allocating a property.
- 16.2 The implementation of this policy will be detailed in the following procedures:
- Termination Procedure
 - Lettings Procedure
 - Equipment and adaptation procedures
 - Conflict of interest procedure
- 16.3 Monitoring of the Policy - New tenant satisfaction surveys will be completed to monitor the effectiveness of this policy.

17. Link to associated internal Documents

- Home Choice Plus Allocation Policy

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- Domestic Abuse Policy (customers)

18. Board/EMT Approval was gained

- Approved by the Board on 23rd March 2026.

19. Review Date

- This policy will be reviewed in March 2029.

20. Responsibility for implementing the policy

- The Director of Housing & Communities

21. Equality Policy Statement

- 21.1 At bdht, we are proud to serve and work within a diverse society. We recognise that some individuals and communities face systemic barriers, disadvantage, and discrimination, including those related to socio-economic background, caring responsibilities, and the impact of intersectionality.
- 21.2 We believe that discrimination in any form is unacceptable. In all our areas of work we are committed to ensuring that our policies, practices, and services promote fairness, equity, and respect for all. We aim to *reduce inequalities, promote respect, and create an equitable culture within our organisation.*
- 21.3 bdht fully complies with the Equality Act 2010 and all relevant statutory and regulatory guidance, including that issued by the Regulator of Social Housing, Homes England, the Government Equalities Office, and our funding partners.
- 21.4 We believe that equality of opportunity is fundamental to delivering excellent services and building vibrant communities together. Our commitment is underpinned by clear policies, regular monitoring, and continuous review, all of which are actively supported by our Board and Teams.

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