

Luton Borough Council Housing Landlord Services

Assisted Transfer Scheme Policy

Notice to staff using a paper copy of this policy or guidance

The policies and procedure database holds the most recent and approved version of this guidance. Staff must ensure they are using the most recent guidance.

	Author/Editor:	<i>Juliet James-Lionel</i>	
	Issue Date:		

Document Approval

Document Author:	Signed:	Date:
Juliet James-Lionel Housing Manager		

Document Approved By:	Signed:	Date:
Pam Garraway Corporate Director		
Mo Harkin Head of Housing Landlord Services		
Effective date		
Review date		
Policy Owner	Maureen Backler – Tenancy Service Manager	
Statute		
Consultation	Portfolio Holder TCC	
Scope	This policy applies tenants of residential accommodation managed by Housing Landlord Services	

Document Control

Change Record

Version	Details E.g. Updated or full review	Date	Author	Change details
0.2				Initial draft for review

Reviewers

Version	Name	Position	Signed

A final electronic copy of the document, its EIA and evidence of decision/adoption must be received and archived centrally with the Business Development Team

Assisted Transfer Scheme Policy

Contents

1	Scope	3
2	Policy Statement	12
3	Qualification for Assistance	13
4	Downsizing	4
5	Mutual Exchanges	5
6	LBC Tenants whose homes need Adaptations	5
7	LBC Tenants no longer requiring Adaptations	6
8	Assistance to Move	7
9	Moving to Hard to Let Properties	7
10	Refusing Access to the Scheme	8
11	Method of Payment	9
12	Equality and Diversity	9
13	Publicising the Policy	10

1 Scope

- 1.1 This policy applies to secure tenants of Luton Borough Council.
- 1.2 The qualification criteria are defined in section 3
- 1.3 This policy only applies to qualifying tenants of Luton Borough Council moving through Bedfordshire Homefinder or by way of a Mutual Exchange of accommodation

2 Policy Statement

- 2.1 The Assisted Transfer Scheme will seek to facilitate moves for tenants in receipt of means tested benefits or a State Pension whose accommodation is deemed to be too large for their household's needs under the terms of the Welfare Reform Act 2012.
- 2.2 The Assisted Transfer Scheme seeks to:
 - Alleviate debt and poverty for households in receipt of benefit or in low paid work by enabling them to downsize from properties that are too large for their household's needs, as defined by the Welfare Reform Act.
 - Enable the best use of properties benefitting from major adaptations for a disabled occupant where these facilities are no longer required by the current occupier(s) and the needs of awaiting households can be cost effectively met through increased availability of these properties.
 - Facilitate moves for tenants requiring expensive adaptations to their home where the need can be met more effectively and/or economically at an alternative property within the housing stock.
 - Reduce the number of families living in overcrowded homes in Luton by increasing the availability of family homes within the borough
 - To tackle hard to let properties
- 2.3 The law protects secure tenants' right to remain in their home when underoccupying. There is no legal mechanism to force a tenant to move to a property that is more suitable for their needs.

3 Qualification for assistance

- 3.1 The provisions of the Assisted Transfer Scheme are available to secure tenants of Luton Borough Council who:
- are under-occupying their current home and are in receipt of a means tested benefit or state pension and wish to downsize to accommodation of a size that is deemed to be suitable for their household either by way of a transfer of accommodation or by a mutual exchange, or
 - are occupying properties which benefit from major adaptations for a disabled occupant where these facilities are no longer required by the household, or
 - require major adaptations to their home where the need can be more economically met in alternative accommodation within the housing stock of either the Council, or its Registered Social Landlord partners.

4 Downsizing

- 4.1 In order to maximise the use of housing stock to tackle overcrowding a ready supply of family sized accommodation is needed.
- 4.2 As the make-up of households change over time, it is often the case that tenants occupy properties that are bigger than their 'housing need'.
- 4.3 Under the "bedroom tax" provisions of the Welfare Reform Act 2012 under-occupying tenants will have their Housing Benefit entitlement reduced by between 14%, in the case of tenants with one extra bedroom, and 25%, for those with two or more extra bedrooms. This scheme seeks to assist tenants whose Housing Benefit entitlement will be reduced under the terms of the Welfare Reform Act but whose ability to move is restricted due to financial reasons or lack of support.
- 4.4 All applications to transfer from qualifying tenants will be afforded a high priority to move as defined by the Council's Allocations Policy. Please note, this will be subject to all requirements of the Allocations Policy being met, please see the Council's published Allocations Policy for full details.

- 4.5 Where the qualifying tenant moves by way of a transfer of accommodation, and not a mutual exchange, the property moved to must be another property let through the Council's Choice Based Lettings scheme.
- 4.6 Qualifying applicants can only move into a property which is of a size deemed to be suitable for their housing need as defined by the Housing Allocation Policy.

5 Mutual Exchange

- 5.1 In order to relieve pressure on the Council's housing register, qualifying under-occupying LBC tenants who secure a move by means of a Mutual Exchange will also qualify for assistance under the terms of the Assisted Transfer Scheme
- 5.2 Qualification for assistance under the terms of this scheme will be subject to the "outgoing" tenant and incoming exchange partner not having any spare rooms based on the criteria set for measuring under-occupancy by the Welfare Reform Act 2012.

6 Assistance for LBC tenants whose home needs adaptations

- 6.1 Many cases arise each year where a tenant finds they are living in a property that is not suitable for their needs without major adaptations.
- 6.2 These adaptations often:
- do not fully meet the customers needs due to the location and type of property
 - leave the tenant in a home that is too big for their needs
 - are expensive to the Council
- 6.3 Where the tenant is living in a property that is in high demand and / or the customer's needs can be are better, or more economically, met in an alternative property, an Assisted Transfer will be offered to enable the customer to move. In this instance qualification for assistance under the terms of this scheme is not subject to the tenant underoccupying their home.

- 6.4 The property the applicant moves to must be another property let through the Council's Choice Based Lettings scheme if they are to qualify under this policy.
- 6.5 Applicants can only move into a property which is of a size deemed to be suitable for their housing need as defined by the Housing Allocation Policy.
- 6.6 All applications to transfer from qualifying tenants will be afforded a high priority to move as defined by the Council's Allocations Policy. Please note, this will be subject to all requirements of the Allocations Policy being met, please see the Council's published Allocations Policy for full details.

7 Assistance for tenants occupying homes benefitting from major adaptations where these facilities are no longer required

- 7.1 There are an insufficient number of properties benefitting from major adaptations within Luton to meet demand.
- 7.2 Many tenants experience extended waiting times to have major adaptations carried out in their current homes.
- 7.3 The Assisted Transfer Scheme will therefore support tenants residing in properties benefitting from major adaptations, where the facilities are no longer required by the household and there is demand for properties benefitting from such facilities, to move to a more suitable home, thus making the adapted property available to a household who will benefit from the facilities contained within the property.
- 7.4 The property the applicant moves to must be another property let through the Council's Choice Based Lettings scheme.
- 7.5 Applicants can only move into a property which is of a size deemed to be suitable for their housing need as defined by the Housing Allocation Policy.
- 7.6 All applications to transfer from qualifying tenants will be afforded a high priority to move as defined by the Council's Allocations Policy. Please note, this will be subject to all requirements of the Allocations Policy being met, please see the Council's published Allocations Policy for full details.

8 Assistance to Move

- 8.1 For tenants applying to downsize, either by way of a transfer of accommodation, or by mutual exchange, who were not previously approved for an Assisted Transfer payment, or applied after 3rd October 2012, the Council will facilitate the move by financing the tenant's removal costs.
- 8.2 Assistance will be arranged by the Council using an approved contractor.
- 8.3 Where there is a need for support to pack because the tenant has no network and is frail or has a disability that restricts this exercise the Council may, at the discretion of the Housing Services Manager in the first instance or the Allocations Manager, fund up to £350 packing service cost. The Council will also in such circumstances seek to provide the services of the Housing Handyperson Scheme to assist tenants in settling into their new home where there is a relevant support need.
- 8.4 Where the Council wish to incentivise transfers from a property that has been adapted for disabled occupants where the facilities provided are no longer required by the household, the Council will offer up to £2000 in addition to the assistance to move, as described in 8.1. The value of this cash payment will be decided by either the Council's Housing Services Manager in the first instance or Allocations Manager.
- 8.5 Tenants requiring major adaptations to their homes who are prepared to move to more suitable accommodation will be offered up to £1000 in addition to the assistance to move, as described in 8.1. The value of this cash payment will be decided by either the Council's Housing Services Manager in the first instance or Allocations Manager

9 Moving into hard to let properties

- 9.1 From time to time, LBC has properties that is deemed to be hard to let for a number of reasons.

- 9.2 Where qualifying down-sizing tenants are prepared to accept deemed hard to let properties, for example vacancies in Acworth Court and bedsit accommodation in sheltered housing schemes, the move will attract an enhanced payment of £1000.
- 9.3 In these cases the enhanced payment will be advertised within the property advert for the vacancy on the Council's Choice Based Lettings site.

10 Reasons for refusing access to the Assisted Transfer Scheme

- 10.1 The tenant is an Introductory Tenant (except in exceptional circumstances)
- 10.2 There are exceptions where tenants will be refused access to this scheme:
- Tenants who have breached, or are being investigated for a breach of their tenancy conditions (e.g. they are perpetrators of ASB)
 - Tenants who are in arrears (except in exceptional circumstances - see below)
- 10.3 However, where the tenant is moving by way of a transfer of accommodation, the rent arrears exemption may be waived on the condition that:
- a repayment agreement is agreed and being adhered to and,
 - the outstanding debt can be cleared by funds deducted from any cash element of the assistance package incentive payment or,
 - written agreement is provided to continue repayment of the outstanding debt as part of the new tenancy.
 - Applicants will only be authorised for offers of accommodation within Luton B.C.'s housing stock
- 10.4 If an applicant falls into one of the exception groups they will lose their high priority for a transfer to alternative accommodation.

11 Method of payment

- 11.1 Where the assistance package includes a monetary element to be paid to the tenant, payment will be made into the tenant's bank account through electronic transfer
- 11.2 If the tenant does not have a bank account, a cheque will be raised, but this will liable to a charge of £30 which will be deducted from the final amount. This is toward the cost to the Council of raising a cheque.
- 11.3 The full amount will be paid to the tenant, subject to the following deductions
- Clearance of any outstanding rent and / or court costs
 - Any cost for repairs that are not caused by fair wear and tear
 - Any costs for removal of rubbish when the property is vacated
 - Any other outstanding debts to the Council
- 11.4 Payment will be made once the new tenancy has commenced and the keys to the tenant's former property have been returned to the Housing Department.

12 Equality and Diversity

- 12.1 We recognise that customers of all races, ages, religions, gender, sexual orientation and disability should be treated equally and fairly and we will not discriminate in implementing this policy.
- 12.2 We will be sensitive to tenants' individual needs and will tailor our services and approaches accordingly.
- 12.3 We will take steps to identify any language or communication requirements and ensure that we provide information in the appropriate format.
- 12.4 This document can be translated or provided in alternative formats (e.g. Braille, large print, audio) upon request.
- 12.5 Equality and Diversity training is mandatory for all staff.

12.6 An Integrated Impact Assessment was carried out on this policy on 8th March 2013.

13 Publicising the Policy

13.1 LBC publicises its policies and procedures on Tenancy Rights and Obligations to residents and staff in a number of ways:

- Tenant Handbook
- Fact Sheets
- Housing Matters
- LBC Website
- Housing Management Service Area Panel
- Staff Briefings and
- Training

Procedure

Connected Policies:	Tenancy Management Rent Collection and Rent Setting
Connected procedures:	
Leaflets:	
Sign off	Portfolio Holder and Head Of Housing (Landlord Services)