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Introduction

The Association has recently reviewed its Letting Policy and Housing Application Suspension and Cancellation Policy. As part of the review process, the Association had a duty to consult with tenants, housing applicants, Registered Tenant Organisations (RTOs) and any other persons the Association considers appropriate.

The Association also has a duty in accordance with the Housing (Scotland) Act 2014 to prepare and publish a report on the consultation on the review of these policies. This report provides details of the consultation process and the outcome to the review process.

The report will cover the following:

- The scope of the consultation.
- The methods of consultation adopted.
- The outcomes to the consultation.
- How the consultation influenced the review process.

The Scope of the Consultation

The primary scope of the consultation was to seek feedback and opinion from stakeholders regarding the effectiveness of the Association's current policy and practices and whether these should be altered. In addition to the Letting Policy, the consultation process also incorporated questions in relation to the Association's Housing Application Suspension and Cancellation Policy.

Stakeholders were asked to provide feedback and opinion in relation to the following issues:

- What factors should be considered as unsatisfactory housing conditions / housing need.
- The types of care and support that applicants receive or provide which should be considered housing need.
- The levels of priority that should be awarded to applicants who either under-occupy or who are overcrowded.
- The circumstances in which home owners should be awarded priority.
- The factors that the Association should consider before suspending an applicant from receiving an offer of housing.
- Whether applicants who refuse an offer of accommodation should be suspended from receiving a further offer.

Methods of Consultation

The formal consultation process took place between January and March 2022. The Association highlighted on its website and within its December 2021 newsletter that the Letting Policy and Housing Application Suspension and Cancellation Policy would be reviewed during early 2022.

From January to March 2022 the Association consulted with both tenants and housing applicants. The Association consulted with 644 tenants and 635 housing applicants. The Association does not have any Registered Tenant Organisations (RTOs).

The formal consultation process involved the Association writing to all tenants and housing applicants on an individual basis. As part of the consultation process tenants and housing applicants were issued with a comprehensive information booklet that detailed the legislative framework and the Association's current practices with regards to the allocation of housing. Those consulted were also asked to provide their feedback and opinions by completing and returning a questionnaire based on the information provided in the consultation booklet. Those consulted were given the opportunity to request the consultation documentation in alternative languages and formats.

The Association published details of the consultation, along with the Association's current Letting Policy and Housing Application Suspension and Cancellation Policy on its website and provided an online option for completing the questionnaire. This allowed the consultation to be opened up to the wider public.

Consultation Questions & Outcome

During the consultation process tenants and housing applicants were asked to answer a series of questions. The Association received 130 responses representing a response rate of 10.2%. Of the 130 respondents, 68 (52.3%) were received from tenants, fifty-two (40.0%) were received from housing applicants and 10 (7.7%) were received from tenants who had also applied for re-housing with the Association.

The questions and answers provided by respondents are detailed below:

1. Which of the issues listed below constitute unsatisfactory housing conditions?

	<u>Responses</u>	
Overcrowding	94	(17.5%)
Temporary / Care-of Accommodation	43	(8.0%)
Medical Conditions	82	(15.3%)
Relationship / Marital Breakdown	48	(9.0%)
No Fixed Housing Structure (e.g. caravan)	37	(6.9%)
Property Defect / Lack of Facilities	66	(12.3%)
Support Requirements	39	(7.3%)
Harassment or Abuse	61	(11.4%)
Under-occupancy	28	(5.2%)
Leaving Residential Care / Prison / Hospital	31	(5.8%)
No Answer	7	(1.3%)

2. Other than the factors listed above in question 1, which other factors should be considered by the Association as unsatisfactory housing conditions?

The majority of answers provided for this question related to the options provided in question 1. However, the following factors were considered by respondents to constitute unsatisfactory housing conditions:

- Unaffordable rent levels.
- No television signal available and poor amenities.
- No access to children overnight due to lack of space or their own bedroom.
- Unsuitable space with a property not related to overcrowding (e.g. lack of storage / no space to for householders to be able to comfortably work from home).
- Poor insulation within properties.
- Areas that are not serviced by good public transport links.
- Property location means that residents are unable to easily access local facilities (e.g. shops, community centres and medical centres).

3. Of the factors listed below which should be given priority when awarding care / support needs points?

	<u>Responses</u>	
Family Support (applicant assisting family with daily living, or personal care)	71	(28.1%)
Childcare Support (applicant needs to be close to schools / family support)	59	(23.3%)
Personal Support (applicant requires assistance with daily living including personal care)	66	(26.1%)
Support from family / friends with household tasks	43	(17.0%)
Other	1	(0.4%)
No Answer	13	(5.1%)

The survey highlighted that stakeholders consider care and support to be a key element of housing need. Respondents highlighted a range of support, provided or received by applicants, that is important in improving a person's quality of life. The types of support ranged from childcare (including school and nursery pick-up to support working parents) to the provision of frequent and intense levels of support for relatives that are elderly, disabled or suffer from dementia.

Respondents also highlighted lack of public transport and distance from relatives as significant barriers to their ability to provide or receive necessary support.

4. Should someone who is under-occupying their house be given more, less or the same priority as someone who is overcrowded?

	<u>Responses</u>	
More	14	(10.9%)
Same	65	(50.8%)
Less	49	(38.3%)
No Answer	2	(1.6%)

5. Should owner-occupiers who can safely reside in their home be given points for any other priority / housing need?

	<u>Responses</u>	
Yes	32	(24.6%)
No	81	(62.3%)
No Answer	17	(3.8%)

As part of the consultation, stakeholders were advised of the circumstances, in accordance with the Housing (Scotland) Act 2014, in which landlords may not take property ownership into account. These are:

- In cases where the property has not been let, but the owner cannot secure entry to the property. For example, this may be where it is not safe to enter the property due to severe structural faults;
- Where it is probable that occupying the property will lead to abuse from someone currently living in the property;
- Where it is probable that occupying the property will lead to abuse from someone who previously resided with the applicant; and
- Where occupation of the property may endanger the health of the occupants and there are no reasonable steps that can be taken by the applicant to prevent that danger.

6. If answered yes to question 5, please state the circumstances in which owner-occupiers should be awarded priority.

The reasons in which respondents considered it appropriate to award priority to owner-occupiers included:

- Relationship breakdown not relating to abuse that could lead to hostile living conditions.
- Unaffordable mortgage repayments.
- Property is overcrowded or the owner is under-occupying.
- Domestic or emotional abuse.
- Medical reasons or the need to be close to support network.
- The owner may be elderly or disabled and no longer able to manage stairs or garden areas.

7. Which of the following factors should the Association consider as appropriate grounds to suspend a housing application?

	<u>Responses</u>
Anti-social Behaviour	87 (22.7%)
Previous Conviction for Offence Punishable by Imprisonment	35 (9.1%)
Recovery of Possession Order	45 (11.7%)
Abandonment of a Tenancy	70 (18.3%)
Rent Arrears or Tenancy Related Debts	49 (12.8%)
False Information	85 (22.2%)
Other	6 (1.6%)
No Answer	6 (1.6%)

The following comments were also received from respondents providing reasons for suspending an applicant from receiving an offer of accommodation:

- Poor tenancy conduct.
- Neighbour issues or problems that are not considered anti-social behaviour.
- An applicant has a history of domestic abuse.
- In relation to a previous conviction, suspending an applicant should only be done after consideration has been given to the reasons and severity of the prison sentence.

8. Should an applicant be considered for another offer if they have refused a previous offer without a valid reason?

	<u>Responses</u>	
Yes	60	(48.4%)
No	64	(51.6%)
No Answer	5	(4.0%)

9. If answered yes to question 8, how many refusals should the Association allow before suspending the applicant's application?

	<u>Responses</u>	
1	5	(8.3%)
2	15	(25.0%)
3	3	(5.0%)
3+	5	(8.3%)
No Answer	32	(53.3%)

The majority of respondents who provided an answer to this question were of the opinion that an applicant should be given two offers prior to their application being suspended. This is consistent with the Association's current policy and practice.

10. How long should an applicant be suspended for if they refuse an offer of accommodation?

	<u>Responses</u>	
0-6 months	7	(11.7%)
6 months	5	(8.3%)
6-12 months	2	(3.3%)
1-2 years	11	(18.3%)
2+ years	2	(3.3%)
No Answer	33	(55.0%)

The majority of respondents who provided an answer to this question were of the opinion that an applicant who has been suspended for refusing offers of accommodation, should be suspended from receiving a further offer for a period of one to two years. This is consistent with the Association's current policy where an applicant would be suspended from receiving a further offer for a period of one year.

Conclusions

Despite a relatively low response rate, a number of trends were identified and taken into consideration when reviewing the Letting Policy and Housing Application Suspension and Cancellation Policy.

Overcrowding, medical needs, harassment and property defects were factors that the majority of respondents considered to reflect unsatisfactory housing conditions. These factors are already included as elements of housing need within the Letting Policy, and have therefore been retained. However, in the case of Social Need which includes harassment, a further points category has been introduced to the policy for applicants whose quality of life is being adversely affected by low-level environmental issues and anti-social behaviour.

From the survey, it was noted that a high number of respondents agreed that priority should be given to applicants who either provide or require different types of care and support. This ranges from personal care to assistance with household tasks and childcare. Given the emphasis on care and support as a priority need, the Association has increased the radius in which care and support is considered from one mile to three miles. Furthermore, the policy has been amended with care and support priority levels now reflecting the nature and frequency of support provided or received.

When considering the priority levels which should be attached to applicants who under-occupy, the majority of respondents stated that households under-occupying should receive the same level of priority as those that are overcrowded. On this basis, the level of under-occupancy priority has been increased and now equals the priority given to households who occupy an overcrowded property.

With respect to home owners, the majority of respondents did not think that home owners should be given priority on the waiting list. In accordance with the current policy, homeowners are only awarded priority based on the statutory grounds defined by the Housing (Scotland) Act 2014. In response to the survey results no changes in relation to the priority attached to home owners were recommended to the Letting Policy.

With regards to the suspension of housing applicants, the majority of respondents considered the provision of false information, anti-social behaviour, abandonment of a previous tenancy and tenancy related debts as reasonable grounds for imposing a suspension.

From the survey, 48.4% of respondents considered it appropriate to suspend an applicant from the waiting list after refusing an offer of tenancy. This compares to 51.6% who considered it unreasonable to do so. Furthermore, the majority of respondents who considered it appropriate to suspend an applicant, stated that it would be reasonable to do so in the event that an applicant refused two offers. A suspension period of between one and two years was also considered the most appropriate timescale in which an applicant should be suspended from receiving a further offer.

Given the survey results, in relation to the suspension of housing applicants, it was considered appropriate not to change the Housing Application Suspension and Cancellation Policy, retaining the current practice of only suspending an application after they refused two offers. It was also considered appropriate to retain the existing suspension timescale of one year should an application be suspended using this ground.

It can be demonstrated that the results to the Letting Policy Review 2022 have led to some recommended changes to existing Letting Policy and practices – particularly in relation to the under-occupancy, social need priority and care support priority.

This report provides a summary of the review process but further information about the can be obtained by contacting Housing Management on 0141 950 9052 or by emailing housing@yokerha.org.uk.

A copy of this report is also available to download at www.yokerha.org.uk.