



**South  
Derbyshire  
District Council**

# **South Derbyshire Homefinder**

**HOUSING ALLOCATIONS POLICY**

February 2011

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Trent and Dove Housing	

## 1.0 Glossary and definition of terms

Allocation Policy	This explains the rules that determine how South Derbyshire District Council and the South Derbyshire Homefinder Landlords allocate social housing properties. The Policy also outlines other housing options.
Assignments	The term used when you wish to transfer your tenancy to another member of your household. The existing tenant would have to give up the tenancy and their rights are passed on to the other household member.
Bypassing	The term used when a South Derbyshire Homefinder Landlord rejects an applicant for a property because: <ul style="list-style-type: none"><li>• the applicant is not suitable, or</li><li>• the property would not meet the applicant's needs.</li></ul>
Choice-based lettings	A scheme that gives all applicants a greater degree of choice of home.
Compulsory Purchase Order	Local authorities and government agencies have powers under various Acts of parliament to buy land and buildings that are needed to help deliver social and economic changes.
Council Committee	The Council Committee structure is South Derbyshire District Council's main decision-making process.
South Derbyshire Homefinder	<b>The name of the choice-based lettings scheme in South Derbyshire.</b>
Eligibility	The term used to describe factors that match an applicant to a property. For example, the size of your household and the number of bed spaces in a property.
Expressing an interest	Your way of telling the South Derbyshire Homefinder Landlord that you would like to live in a property.
Habitual residence test	The test looks at whether the applicant's residence in the United Kingdom is of a settled nature. For example, it looks at the length and continuity of residence, work/work prospects or family ties.
Homebuy or shared ownership	A process where you buy a share in a property with the other share owned by a housing association. This can apply to a current socially rented home or a private sector existing or new build property.
Mutual exchange	A swap of accommodation between two social housing tenants that relies on each tenant moving permanently into the other person's/tenant's property.
Non-statutorily homeless	A term that refers to homeless people or households to whom local housing authorities do not have a duty to make an offer of permanent housing.
Nomination	The term is used when a local housing authority provides, from its housing register, the name and details of an applicant to a landlord for an offer of housing.

Rechargeable repairs	This is damage caused by a tenant to a property during a tenancy for which the tenant is directly and/or indirectly responsible.
Registered social landlords	A housing association or a not-for-profit company registered by the Homes and Communities Agency to provide social housing.
Rights of Residence Directive	This directive allows citizens from the European Economic Area who are not economically active to live in another member country. A condition of this is that the citizen should have enough resources to avoid relying on the benefits system of the member country.
Shortlist	A list of applicants that have expressed an interest in a particular property advertised on South Derbyshire Homefinder.
Social housing	The term used for affordable rent or shared ownership accommodation owned by a local council or housing association.
Statutorily Overcrowded.	<p><i>The legal definition of overcrowding is quite strict and although you may feel your property is too small in relation to the number of people who live there, it may not be classed as statutorily overcrowded.</i></p> <p><i>In order to establish whether a property is statutorily overcrowded, the assessment will look at:</i></p> <ul style="list-style-type: none"> <li>• <i>If two people of the opposite sex have to share a bedroom, the accommodation will be classed as overcrowded if the people in question are NOT a married or co habiting couple or children under 10 years old.</i></li> <li>• <i>Rooms and the available space are measured following strict calculations laid out in the legislation. Rooms that are counted include living rooms and bedrooms. When the space and floor areas are being calculated, certain factors are considered. These include:</i> <ol style="list-style-type: none"> <li>1) <i>Children under one year old are not counted</i></li> <li>2) <i>Children under ten years old and over one count as half</i></li> <li>3) <i>Rooms under 50 square feet are also ignored.</i></li> </ol> <p><i>The floor areas of rooms also determine how many people can sleep in them. This is established on site visits. As a guide, a room measuring 6.5 square meters is suitable for one person and a room measuring 10.2 square meters is suitable for two people.</i></p> </li> </ul>
Statutorily homeless	A term that refers to people or families to whom a local housing authority have a duty to make a permanent offer of housing.
Succession of tenancy	When a tenant dies, the tenancy will automatically pass to any joint tenants, a partner or a close member of the tenant's family as long as they were living with the tenant at the time of the death and for at least 12 months before. Also, such person must be occupying the property as his or her only or principal home. Anyone who takes over the tenancy in this way is called a successor. <i>However only one automatic succession of tenancy is allowed in law.</i>
Sustainable communities	The Department for Communities and Local Government says a sustainable community is a place where people want to live and work now and in the future.

## **2.0 Introduction**

- 2.1 This Allocation Policy explains the rules that determine how South Derbyshire District Council and the South Derbyshire Homefinder Landlords allocate social housing properties and offer a variety of other housing options.
- 2.2 South Derbyshire District Council recognises that the availability of affordable rented accommodation is unlikely ever to meet the demand in the District.
- 2.3 This Allocation Policy guides the principles of how properties will be allocated in a fair and transparent manner, taking account of both the Council's duty to take account of housing need and it's wish to offer as much choice as possible.
- 2.4 South Derbyshire District Council and the South Derbyshire Homefinder landlords recognise that homelessness is the most extreme form of housing need. The impact of homelessness does have a detrimental impact on families, childless couples and single people. The Council will do all it can to prevent homelessness.
- 2.5 The Allocation Policy aims to:
- help people in housing need choose where they would like to live
  - prevent people from becoming statutorily homeless.
  - make the best use of the limited social housing available and tell you about other housing options.
- 2.6 Allocation policies provide a framework for councils to allocate accommodation, and to give people who have the greatest need of housing a reasonable choice about their property.
- 2.7 This Allocation Policy applies to:
- existing tenants who want to transfer from one tenancy to another with their current landlord, and
  - existing tenants who want to transfer from a secure tenancy with the Council to an assured tenancy with a registered social landlord and vice versa, and
  - new applicants.
- 2.8 The Council and the South Derbyshire Homefinder landlords are committed to equal opportunities and to making sure that everyone is treated fairly.

## **3.0 Statement of choice**

- 3.1 South Derbyshire District Council believes in offering applicants on its South Derbyshire Homefinder Register the freedom to choose the properties they are interested in. The South Derbyshire Homefinder scheme gives all its applicants the freedom to express an interest in suitable accommodation that is available. The scheme also provides information and advice on other housing options to help applicants solve their housing needs.
- 3.2 Through this Allocation Policy, the Council aims to offer choice to applicants as well as meeting its legal duty to house people who have an urgent need for housing.

## 4.0 Equalities and Fairness Scheme

- 4.1 South Derbyshire District Council and the South Derbyshire Homefinder Landlords are committed to: promoting equal opportunities; valuing diversity; and tackling social exclusion.
- 4.2 The Council approved its current Equality and Fairness Scheme in March 2008. You can get a copy of this policy by contacting 01283 595778 or by downloading it from [www.south-derbys.gov.uk](http://www.south-derbys.gov.uk)
- 4.3 The Council is committed to doing its best to prevent the people it serves, from suffering unfair discrimination however caused. This includes:
- age
  - disability, including people living with AIDS/HIV
  - ethnic or national origin, race or colour
  - marital status
  - religious or political beliefs
  - responsibilities for children or dependants
  - gender and gender identity
  - sexuality
  - trade union activities
  - unrelated criminal convictions, where this is possible

This list is not exhaustive.

## 5.0 Data protection statement

- 5.1 You have the right to access the personal information we hold about you. We will use the information you provide for the purpose of re-housing. We may also use the information for issues of child protection, public protection and for preventing and detecting fraud and other criminal offences. This includes information we hold as paper and electronic records. If you would like to access your file, please contact South Derbyshire District Council's Data Protection Officer on 01283 595703 for an application form. Please note that an administration fee may apply.

## 6.0 Legal framework

- 6.1 This Allocation Policy has been written to meet the duties of Part VI of the Housing Act 1996, as amended by the Homelessness Act 2002 *and the recommendations in the Statutory Code of Guidance 2009.*
- 6.2 Part VI of the Housing Act 1996 covers:
- allocating local authority properties to new tenants
  - transfers that are requested by local authority tenants
  - allocating local authority properties to current tenants of registered social landlords
  - nominations that the Council makes to registered social landlords.

- 6.3 The Housing Act 1996, as amended by the Homelessness Act 2002, also sets out the circumstances of those applicants we must give reasonable preference to when allocating properties.
- 6.4 This Policy takes account of the Allocation of Accommodation Code of Guidance for Local Housing Authorities 2002.
- 6.5 There are instances where this Allocations Policy does not apply. These instances are detailed in section 160 of the Housing Act 1996 and include:
- assignments/transfer of tenancy
  - mutual exchange
  - succession of tenancy.

In each of these instances, neither the Council nor any of the other South Derbyshire Homefinder Landlords are required to identify a new tenant for the relevant property or properties from the South Derbyshire Homefinder register. A definition of each of these terms can be found in the 'Glossary and definition of terms' in Section 1.0.

## **7.0 Aims and objectives of this policy**

- 7.1 The aim of this Allocation Policy and of having choice-based lettings is to help people with housing need choose where they would like to live and to prevent people from becoming statutory homeless. Any choice is subject to sections 14.0 and 15.0 of this policy.
- 7.2 The objectives of the Policy are:
1. to allow applicants to look for a property in the area of their choice
  2. to encourage common standards of working for all the partners of South Derbyshire Homefinder
  3. to reduce the number of properties refused by applicants
  4. to ensure properties are let as quickly as possible
  5. to reduce the risk of properties becoming 'difficult-to-let'.

## 8.0 Housing providers working together

- 8.1 The Council and most of the registered social landlords, known as housing associations, who have homes to rent or buy in South Derbyshire are working together as South Derbyshire Homefinder Landlords. They have all agreed to use this policy and to allocate properties through South Derbyshire Homefinder.

The South Derbyshire Homefinder Landlords are:

- South Derbyshire District Council
- Derwent Living
- East Midlands Housing Association
- Guinness Trust
- Home Housing Association Ltd
- Longhurst Housing Association
- Peak District Rural Housing Association
- Riverside Midlands
- Spirita Limited
- Trident Housing Association
- Trent & Dove Housing Association
- Nottingham Community Housing Association

See section 29.0 for full address and contact details.

- 8.2 *South Derbyshire District Council will encourage other registered social landlords who develop homes in South Derbyshire to become South Derbyshire Homefinder Landlords and to sign up to this Allocation Policy.*

## 9.0 Who can apply to go on the South Derbyshire Homefinder Register?

- 9.1 The South Derbyshire Homefinder Landlords keep a joint housing register, called the South Derbyshire Homefinder Register. This means applicants only have to fill in one housing application form to be considered for housing by all the South Derbyshire Homefinder Landlords.

- 9.2 We will accept a completed housing application from people who are aged 16 or over. We do, however, have some rules that could affect an application – see sections 9.3.1 to 9.5.2 – and we cannot accept applications from people in certain circumstances – see section 10.2 to 10.3.3.

### 9.3 Local connection rule

- 9.3.1 A local connection is a link to the district of South Derbyshire such as living, working, having close family, support or other special needs within the District.

- 9.3.2 If you do not have a local connection with South Derbyshire, you can still register for housing. However, this will mean that you will not be eligible for some properties advertised on South Derbyshire Homefinder.

#### 9.4 **Young people under-18 rule**

9.4.1 You can apply to go on the South Derbyshire Homefinder Register once you are 16. However, if you are under 18, after you register and before we offer you a home, we will expect you to attend an independent living interview.

9.4.2 If you are under 18 you must provide details of a guarantor (someone who accepts legal responsibility for the tenancy on your behalf) otherwise a tenancy will not be offered to you.

#### 9.5 **Councillors and employees and their close relatives rule**

9.5.1 Councillors and employees of South Derbyshire District Council and the housing associations and their close relatives can apply to go on the South Derbyshire Homefinder Register. However, they must make their position or relationship within the Council or with the South Derbyshire Homefinder Landlord known on their application form. If they do not do this and it is discovered later that such a relationship exists, then it may affect their security of tenure should it be found that false or misleading information was provided to secure accommodation.

9.5.2 The Council will neither give an advantage to nor disadvantage an applicant falling into this category. The other South Derbyshire Homefinder landlords have their own policies on lettings to some or all of those identified in 9.5.1. You may need to contact them to get details of their policies – see section 27.0.

### **10.0 Who cannot apply to go on the South Derbyshire Homefinder Register?**

10.1 We cannot accept applications to go on the South Derbyshire Homefinder Register from people in certain circumstances – see sections 10.2 to 10.3.3.

#### 10.2 **People from outside the United Kingdom**

10.2.1 The Council cannot accept applications to go on the South Derbyshire Homefinder Register from:

- people who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996
- people from outside the United Kingdom who fail the habitual residence test
- people from outside the United Kingdom who are in breach of, or whose residence does not comply with, the European Union Rights of Residence Directive and statutory instruments.

10.2.2 If you are subject to section 10.2.1 the Council has no duty to offer you a home. We will offer you advice on your other housing options.

### **10.3 People who behave in an unacceptable way**

10.3.1 We will accept your application to go on the South Derbyshire Homefinder Register but may not allocate you a property if you or a member of your household has been guilty of unacceptable behaviour, within the meaning set out in section 160A of the Housing Act 1996, which makes you unsuitable to be a tenant.

10.3.2 We will base any decision, in 10.3.1, not to allocate you a property on:

- any recent history of anti-social behaviour and
- any evidence of that behaviour that would justify a possession order being made against you had the behaviour been carried out while you were a tenant
- your current behaviour, or that of any member of your household, at the time of your application.

We will look at all the relevant factors to reach a decision.

10.3.3 We will tell you in writing if we cannot allocate you a property on the South Derbyshire Homefinder Register because of unacceptable behaviour. You have the right to ask for a review of the decision. See section 23.0 on Your Right to a Review for more information. You can ask us to reconsider our decision at any time if you can demonstrate that your behaviour has changed and that you can sustain a tenancy.

## **11.0 How to join the South Derbyshire Homefinder Register**

11.1 You need to fill in a housing application form, which you can get from a variety of places:

- from the South Derbyshire Homefinder website - [www.southderbyshirehomefinder.org](http://www.southderbyshirehomefinder.org)

or contact/visit:

- South Derbyshire District Council offices – see section 27.0 for details
- any participating South Derbyshire Homefinder Landlord – see section 27.0 for details.
- Telephone 01283 595778 to have one sent via the postal system.

## 12.0 Housing application processing standards

12.1 When we get your housing application:

- if we need to visit you at home or arrange an office interview, we aim to contact you to arrange this within ten working days of receiving your application
- we aim to contact you to confirm that your application is active within 10 days of receiving your form and all relevant information we require
- We will let you know if we cannot register your application within 10 days of receiving your form. The delay may be due to us requiring additional information from you or another relevant agency.

### 12.2 **Confirming your details**

12.2.1 You need to give us all the information we ask for so that we can confirm your details. If you do not give us this information it will delay your application.

12.2.2 We will check all housing applications when they are received. We will make any checks we consider necessary with current and former landlords, and other relevant agencies. If this information is not given to us quickly it may delay the processing of your application. We may also check your details with a credit-referencing agency if we suspect that you have any undeclared housing related debts. See section 5.0 on data protection for how we use and protect the information you give us.

12.2.3 It's your responsibility to give us the proof that we ask for to confirm your details. We will suspend your housing application until we get this information.

12.2.4 If, after a 28-day period, you have not given us the information we have asked for, we will have to cancel your housing application.

12.2.5 If you have given false and/or misleading information on your application form and/or during its processing, we will cancel your application. We may also take legal action against you. This action may include prosecuting you in the criminal courts.

12.2.6 You must say on your housing application form if you and/or other members of your household have current and past rent arrears or re-chargeable repairs from any Council or housing association tenancy. If you do not tell us this information and is later discovered, we may cancel your application and take legal action against you.

12.2.7 You must also tell us, and if possible provide evidence, why you have rent arrears or rechargeable repairs. You also need to provide evidence of payments made or arranged payment plans to reduce any arrears.

- 12.2.8 If the debt in relation to a previous or current tenancy is less than £200 and the applicant can evidence regular payments in accordance with an arrangement for a minimum of three months, the deferment will be lifted.
- 12.2.9 Where the debt exceeds £200 but the applicant can evidence regular payments in accordance with an arrangement for three months, the deferment cannot be lifted without the express approval of the Housing Operations Manager / Head of Housing.
- 12.2.10 Where an applicant is currently subject to a suspended possession order for rent arrears with their current landlord, the application will be deferred until that suspended possession order is satisfied.
- 12.2.11 We may be able to offer advice or refer you to free money advice to help you reduce your debts.

### **13.0 How is a housing application assessed?**

- 13.1 We assess your housing application based on the information you have given on the form and any other evidence or details you have provided.

We assess this information against the:

- South Derbyshire Homefinder Bands – see section 14 – within these bands you are assessed as to how many needs you and your household have. The higher the number of needs the greater priority is given for re-housing.
- Property eligibility table – see section 15.

#### **13.2 Home visits and office interviews**

- 13.2.1 If, when we assess a housing application, we need to get further information from you, we may have to arrange a home visit or office interview. We will contact you to arrange a convenient appointment.

#### **13.3 Disability, mobility and medical needs**

- 13.3.1 If you, a joint applicant, or other member of your household or any number of you identified on your housing application have:

- a permanent physical disability
- a mobility problem, or
- a medical condition

we may need to do a further assessment.

- 13.3.2 This will help us to decide:

- whether your current home is having a detrimental impact on you or anyone in your household's health or mobility and
- what type of property would best suit your/their needs, if a move is necessary
- how to match your specific needs to properties that are adapted

13.3.3 You will still be able to express an interest in properties that do not have the adaptation you need. The South Derbyshire Homefinder Landlord may be able to adapt the property to your needs.

#### 13.4 **Placing you in a different South Derbyshire Homefinder band**

13.4.1 In some cases, we may place your housing application in a different band than your circumstances call for – see section 14 for all bands. We may do this, for example, if you or anyone in your household has:

- abandoned a previous tenancy
- moved to new housing that is worse than your previous housing without good reason
- sold a property or given notice on a tenancy without getting other housing first.

13.4.2 If we think that you have deliberately made your own housing circumstances worse we will place your housing application in a different South Derbyshire Homefinder Band for 12 months from the date of application. The band we place you in will best reflect your housing needs from your previous accommodation.

#### 13.5 **Owner-occupiers and applicants with enough resources to meet their own housing needs**

13.5.1 If you own a property or you have enough financial resources to enable you to get your own accommodation, you can still apply to go on the South Derbyshire Homefinder Register.

13.5.2 *We may ask you to declare that you do not have the financial means to resolve your housing need yourself by open market private purchase and provide the information we need to verify this. We will refer to current market house prices when making a decision. Financial means includes any income, equity, savings or any mortgage borrowing capacity which you may have. If you do have the financial means to resolve your own housing need this will be reflected in the Band in which your application is placed.*

13.5.3 However, due to the high demand for social housing in South Derbyshire, it is unlikely that we would make you an offer of housing. This may not apply if you are aged over 60 and/or you have medical needs that you cannot afford to meet by the purchase of a suitable property in the private sector. In any event, we would be able to tell you about other available housing options. See section 25 on Other Housing Options for further information.

#### 13.6 **Community Safety**

13.6.1 The Council works in partnership with the Police, the Probation Service, the Crime and Disorder Reduction Partnership, and housing providers to manage risk to the community.

13.6.2 If your application leads us to believe there are implications for community safety, we may refuse you housing in certain areas. For example if an applicant has recent, community based anti-social behaviour.

## 14.0 The South Derbyshire Homefinder Bands

14.1 We will categorise your housing circumstances into one of four bands.

The bands are:

Emergency Band	A Band	B Band	C Band
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14.2 There is a limited number of properties available each year. We aim to allocate a percentage of available properties to applicants from each band. The bands aim to deal with individual and multiple needs. We advertise properties to bands and give priority to applicants who we have placed into each band.

14.3 The Council, in consultation with the South Derbyshire Homefinder landlords, reserves the right to change the percentage of properties allocated in each band to meet the housing needs within the District every three months.

14.4 We will detail the percentage of allocations to each band on South Derbyshire Homefinder. This information will be available on the South Derbyshire Homefinder property list, published every week, and the website [www.southderbyshirehomefinder.org](http://www.southderbyshirehomefinder.org)

### 14.5 **Emergency band**

14.5.1 We will place you in this band if:

- South Derbyshire District Council has accepted you are 'statutorily homeless'
- The Council's Environmental Health Housing Standards team have assessed your property and:
  - found it to be 'statutorily overcrowded' and
  - you have not intentionally caused overcrowding, as defined in the Housing Act 1985.

14.5.2 See section 14.6 for details of homeless final offers.

14.5.3 See section 14.7 for details of the one offer policy for applicants found to be 'statutorily overcrowded'.

### 14.6 **Homeless final offers**

14.6.1 If, within three-months, you have not been successful in getting permanent housing, the Council reserves the right to make you a final offer of suitable housing.

14.6.2 If you feel that a final offer property is not suitable, you may ask for a review of the offer. You can ask for a review whether or not you accept the final offer.

14.6.3 You may refuse a 'final offer' of housing. If you do then the Council's obligation to find you a new home will change and you will lose your emergency status and be moved to a new band that reflects your housing need. If you are not sure about refusing a final offer, you can discuss it with a member of the Housing Options Team at South Derbyshire District Council offices.

14.6.4 When reviewing a final offer, the Council will check that:

- the property is of the right size and type for your family
- the property is safe for you to live in – that it is not in a dangerous condition
- it takes account of any special needs you or your family have
- we have taken into account any other relevant circumstances you have told us about before we made a decision.

#### 14.7 **One-offer policy for statutorily overcrowded applicants**

14.7.1 If we make you an offer of suitable housing and you refuse it during the three-month period, we will review our decision to place you in the Emergency Band.

#### 14.8 **A band**

14.8.1 We will place you, a joint applicant, any other member of your household or any number of people identified on your housing application in this band if:

- South Derbyshire District Council has accepted you as 'non-statutorily homeless'
- the Council prohibits the use of the property you are living under the terms of the Housing Act 2004 and considers that it is not reasonable for the property to be brought back into use
- the Council's medical adviser or Occupational Therapist has assessed you as having an essential need to move on medical or mobility grounds. This is because your current housing is having a serious detrimental impact on you or members of your households' health or ability to live independently
- you have an urgent need to move on welfare grounds. This is defined as:
  - your discharge from hospital is prevented by your housing situation
  - there is a likelihood of admission to residential care or hospital if re-housing is not made
  - there is a likelihood of a child being accommodated by the local authority if re-housing is not made
  - you, or a member of your household, are at serious risk of harm in your present accommodation. This can include but is not limited to:
    - victims of domestic violence
    - serious racial harassment
    - homophobic attacks
    - witnesses of crime
    - victims of crime
    - serious anti-social behaviour.

- you have an urgent need to move to a particular locality where failure to do so would cause hardship to you or other member of your household. This is defined as:
  - you need to move to either give or receive essential care and support
  - you need to move to access specialised medical treatment
  - you need to move to take up particular employment or training opportunities
  - you are currently living in a hostel or supported housing and are ready for independent living
- it is unreasonable for you to stay at your current accommodation due to exceptional financial hardship
- you are currently living in a house owned by a South Derbyshire Homefinder Landlord that is too big for your needs, and you are willing to move to a smaller property
- you are a tenant of a South Derbyshire Homefinder Landlord and no longer need the adaptations made to your property

**In all circumstances – you cannot reasonably be expected to secure suitable accommodation for yourself.**

#### 14.9 **B band**

14.9.1 We will place you, a joint applicant, any other member of your household or any number of you identified on your housing application in this band if:

- the Council's medical adviser or an Occupational Therapist has assessed you as having a need to move on medical or mobility grounds
- you currently live in an upper floor flat and you have children under 12 years of age
- you need more bed spaces
- you are sharing facilities
- you have had a relationship breakdown, and are living in the same property as your partner and a move would allow the partner and family to remain in the property
- you are a tenant of a South Derbyshire Homefinder Landlord and have received a Compulsory Purchase Order or your property is due for demolition
- you are suffering from anti-social behaviour or harassment

- you have a non-urgent housing need to move. This can include but is not limited to a move nearer to:
  - a child's school
  - a place of worship
  - family/friends for non-essential support
  - shops and other local amenities.
  
- *You have an urgent need to move to a particular locality where failure to do so would cause hardship to you or other member of your household. This is defined as:*
  - *It is unreasonable for you to stay at your current accommodation due to **some financial hardship**.*
  - *You need to move to either give or receive **non- essential** care and support.*
  - *You need to move to access specialised medical treatment for a **defined period of time not less than 12 months**.*
  - *You need to move to take up particular employment or training opportunities, **which is for a defined period of time not less than 12 months**.*
  
- *You have moved into supported, hostel type accommodation and have made an initial application to South Derbyshire Homefinder.*  
*Note: As applications will not be back-dated it is essential that support agencies assist applicants to register for accommodation at the earliest opportunity. Applicants will be given a deferred status on South Derbyshire Homefinder register and therefore will not be able to express interest in advertised properties at this stage. Applications will be reviewed when applicants are ready to "move- on" from supported/hostel accommodation. (see page 14 section 14.8.1)*

**In all circumstances – you cannot reasonably be expected to secure suitable accommodation for yourself.**

#### 14.10 **C band**

14.10.1 We will place you in this band if:

- you are already adequately housed
- you can afford to get your own housing or improve your current accommodation to be more suitable to your needs.

**14.11 Applicants with multiple needs**

14.11.1 We take account of multiple needs in this policy.

14.11.2 When we receive your South Derbyshire Homefinder application we will assess you, a joint applicant, any other member of your household or any number of you identified on your form. We will give priority to individuals and families with multiple needs.

14.11.3 We will instruct, if necessary, a designated officer to assess your needs.

**14.12 Reviewing banding**

14.12.1 Applicants in any band have the right to ask us to review their banding by contacting the Housing Options Team. See section 27.0 for details.

14.12.2 *We will review all of the housing applications that we place in the Emergency Band every 8 weeks. Applications in Bands A, B and will be reviewed annually to check that your housing needs remain unchanged.*

## 15.0 Property eligibility table

15.1 The size and type of property we normally offer you will depend on the size of your household. This table only gives a general guide.

	Studio flat	1 bedroom flat	1 bedroom bungalow	1 bedroom house	2 bedroom flat	2 bedroom maisonette	2 bedroom bungalow	2 bedroom house	3 bedroom flat	3 bedroom maisonette	3 bedroom bungalow	3 bedroom house	4 bedroom house	5 bedroom house
Single person under 60 years	✓	✓		✓										
Single person over 60 years	✓	✓	✓	✓										
Single person or couple expecting a baby					✓	✓	✓	✓						
Single person under 60 with access to children					✓									
Couple with no children, under 60 years		✓		✓										
Couple with no children, over 60 years		✓	✓	✓										
Couple under 60 with access to children					✓									
Household with one child					✓	✓	✓	✓						
Household with two children of the same sex under ten					✓	✓	✓	✓						
Household with two children of the same sex, one or more over ten					✓	✓	✓	✓	✓	✓	✓	✓		
Household with two children of different sexes					✓	✓	✓	✓	✓	✓	✓	✓		
Household with three children									✓	✓	✓	✓		
Household with four or more children									✓	✓	✓	✓	✓	✓

- 15.2 Similar properties can differ in the size of bedrooms and the ideal number of occupants. We will tell you which size of property we consider is most suitable for you when we accept your housing application. We will advertise properties with the minimum and maximum number of occupants.
- 15.3 We will advertise a property with a mobility group if the South Derbyshire Homefinder landlord identifies it as being suitable to meet the needs of an applicant, or another member of their household, with disabilities or mobility needs.
- 15.4 We normally offer you accommodation with an extra bedroom if you have a permanent carer or a medical condition that means you need an extra room.
- 15.5 If you are getting Disability Living Allowance the South Derbyshire Homefinder landlords may offer you a property that's normally for someone over 60 – even if you are younger. We will advertise the property with details of the age of the persons who could apply. For example, receiving Disability Living Allowance and over 50 years of age.

## **16.0 Contacting you about your housing application**

- 16.1 Once we have made all our assessments, we will contact you and tell you:
- that we have accepted your housing application and you can start to look for properties advertised on South Derbyshire Homefinder
  - your unique housing application number for you and your family
  - the South Derbyshire Homefinder band we have placed you in
  - if you have been awarded a multiple, twin or single need
  - the date we placed you in the band
  - the mobility group we have placed you in, if this applies
  - the type and size of properties for which you qualify
  - how to use the South Derbyshire Homefinder scheme to look for properties
  - whether you have a local connection with South Derbyshire and how this affects your eligibility for properties
  - the terms of the scheme and details of your rights and responsibilities under the scheme.

## **17.0 How South Derbyshire Homefinder works**

17.1 South Derbyshire Homefinder advertises a variety of properties, including:

- social housing for rent
- private landlord housing for rent
- low-cost home ownership properties, such as shared ownership.

It also offers a 'mutual exchange scheme' for its applicants who already have a tenancy with any South Derbyshire Homefinder Landlord.

17.2 We advertise properties to create an open and clear allocation scheme. This also allows you to choose which properties you would be willing to accept, if offered.

17.3 All properties available are advertised on South Derbyshire Homefinder every Wednesday from 12 noon. The property advertisements close on Tuesday at midnight.

17.4 During the weekly advertising cycle, you can express your interest in up to six properties. Expressing an interest in a property means that your name will appear on the shortlist for that property.

17.5 If you do not express an interest, your name will not appear on the shortlist for that property.

17.6 Each South Derbyshire Homefinder landlord allocates their own properties from the shortlists provided by South Derbyshire Homefinder.

17.7 South Derbyshire Homefinder will provide information on how properties were allocated.

17.8 For more information on South Derbyshire Homefinder, visit [www.southderbyshirehomefinder.org](http://www.southderbyshirehomefinder.org), telephone 01283 595778, or e-mail [southderbyshire.homefinder@south-derbys.gov.uk](mailto:southderbyshire.homefinder@south-derbys.gov.uk)

## **18.0 Advertised properties on South Derbyshire Homefinder**

18.1 Each South Derbyshire Homefinder Landlord is responsible for describing and labelling its properties on South Derbyshire Homefinder.

18.2 Each property will be advertised with:

- the criteria for eligibility
- property details.

18.3 We will advertise each property to applicants from at least one band.

18.4 If you do not meet the criteria for a property, you will not be able to express interest in that property.

## 18.5 Property details

18.5.1 To help applicants choose the properties that would best suit their needs, we will advertise all properties with information on size, location and features. The adverts will also include:

- which South Derbyshire Homefinder Landlord owns the property
- landlord contact details for further information
- *a photograph of the property*
- weekly rent and any other charges
- if known, an estimated date that the property will be available to move in to
- the closing date for applicants to express an interest
- other available information on the property, *including size, location and local facilities.*

18.5.2 *Properties will be advertised:*

- *In a local paper.*
- *On South Derbyshire Homefinder at [www.derbyshirehomefinder.org](http://www.derbyshirehomefinder.org)*
- *In South Derbyshire District Council offices at Civic Way, Swadlincote*

## 18.6 Grouped property advertisements

18.6.1 At times, we will group some properties together and advertise them with one reference number on South Derbyshire Homefinder. In these cases, you would only have to express an interest once to cover all the properties within the group.

18.6.2 This situation would happen, for example:

- a new development of the same type of properties
- an existing scheme where there are empty properties of the same size and type.

## 19.0 Expressing an interest in advertised properties

19.1 You can express an interest by:

- internet – [www.derbyhomefinder.org](http://www.derbyhomefinder.org)
- *automated telephone service – it is proposed this is removed*
- visiting the South Derbyshire District Council offices.
- You can get further information by contacting the South Derbyshire Homefinder team on 01283 595778 or visiting our website [www.southderbyshirehomefinder.org](http://www.southderbyshirehomefinder.org)

19.2 South Derbyshire Homefinder has the facility to allow you to view your position on a shortlist before you express an interest in the property. The South Derbyshire Homefinder information leaflet gives details of how to do this. See section 19.1 for details on how to contact South Derbyshire Homefinder.

## 20.0 Allocating properties

20.1 A shortlist is created once the advertising period has ended.

20.2 We sort the shortlist by:

- a the South Derbyshire Homefinder Band
- b needs
- c the date you were placed in the band.

In cases where a number of applicants have the same level of need we will offer a property to the applicant who has been waiting the longest.

20.3 At all times, the landlord is responsible for allocating properties.

20.4 When allocating, the South Derbyshire Homefinder landlord gives preference, where possible, to applicants who specifically need the services or facilities that are part of the property.

### 20.5 **Bypassing**

20.5.1 The South Derbyshire Homefinder Landlords have the right to 'bypass' an applicant if they do not feel they are suitable. Their decision to bypass may be because of their own policies and procedures.

20.5.2 You will not automatically be by-passed for rent arrears or rechargeable repairs. The South Derbyshire Homefinder landlords' decision to bypass you will vary depending on their own policies and procedures. Normally you will need to be able to show that you have made satisfactory payment arrangements to repay the debt. See section 12.2.8

20.5.3 If a South Derbyshire Homefinder Landlord bypasses you, we suggest that you contact the South Derbyshire Homefinder team on 01283 595953 for further details.

20.5.4 If you disagree with any decision and want to complain, please see section 24 - Making a Complaint.

### 20.6 **Offers**

20.6.1 The landlord will contact the successful applicant with details of the potential offer. Each landlord may have a different process.

20.6.2 All South Derbyshire Homefinder Landlords reserve the right to:

- carry out checks on your personal circumstances, as well as those made as part of your housing application
- withdraw an offer if checks reveal issues that are not on your housing application
- make offers to more than one applicant on properties to make sure that the property is let as quickly as possible.

20.6.3 If you are under 18 years of age you will not be offered a property unless you have had an independent living interview and can provide details of a guarantor.

20.6.4 You must tell the South Derbyshire Homefinder Landlords whether you wish to accept the offer. There will be deadlines for responding to offers.

## 20.7 **Special initiatives and ‘sensitive’ allocations**

20.7.1 We may hold back some properties from the South Derbyshire Homefinder scheme to make allocations that are at our discretion to support ‘estate sustainability’ and other corporate initiatives. In this rare circumstance this will be no more than 1% of allocations in any one year.

20.7.2 The South Derbyshire Homefinder Landlords have the discretion to offer properties to their existing tenants who are in exceptional housing circumstances. The decision to make an offer of housing will be made in conjunction with the Housing Options Team Leader. Once the tenant has moved, the vacated property will always be advertised on South Derbyshire Homefinder.

20.7.3 We will advertise any properties that fall into this category and, where possible, will set out the criteria – the factors we have taken into account – for doing this.

## 20.8 **Local Lettings Policies**

20.8.1 *SDDC does not at present have a need to have local letting policies, however this allocations policy recognises that local lettings policies can help to create mixed communities, manage areas of deprivation and respond to the changing needs of those on the housing register. The use of any local lettings policy would be subject to public consultation and approval by Councillors at Committee.*

20.8.2 *Local Lettings policies are policies which only apply to a small and defined number of properties. Examples of Local Lettings policies are those which place an age restriction on letting certain named properties (i.e. only let to over 40’s); a policy which places restrictions on keeping pets in certain named properties (i.e. no dogs); or a policy which encourages a mixture of working and unemployed applicants in defined properties by giving additional priority to those who are working.*

## 20.9 **Monitoring allocations**

20.9.1 *There are a limited number of properties available each year. We aim to allocate a percentage of available properties to applicants from each band. South Derbyshire*

*Homefinder will regularly monitor the percentage of properties allocated to each of the Bands and we will publish this information so that you can see what properties we have had available to let and how many were allocated to each Band.*

- 20.9.2 *We will publicise information on allocations each quarter. This information will include number of properties let, in which Band, type of property and number of applications received that quarter. We will provide this information on the Council's website, to the Tenants' Forum, the Performance and Scrutiny Panel and it will be featured in the tenants' newsletter.*

## **21.0 Non-secure tenancies**

- 21.1 All new tenancies within South Derbyshire District Council properties will be 'introductory tenancies'. You can get further information about these tenancies from the South Derbyshire District Council offices – see section 28.0.
- 21.2 Introductory tenancies aim to make sure that, during the first 12 months of a tenancy, people act responsibly and comply with the conditions of the tenancy agreement. If there are no problems during that period, an introductory tenant automatically becomes a 'secure tenant'.
- 21.3 South Derbyshire District Council may extend the first 12-month period of an introductory tenancy by a further six months if you do not keep to your terms and conditions of tenancy. Alternatively, the Council may seek to evict you if you do not keep to the terms and conditions of tenancy.
- 21.4 The other South Derbyshire Homefinder Landlords reserve the right to offer an assured short-hold tenancy.
- 21.5 You will always be told whether you are being offered an introductory or assured short-hold tenancy, and of any other conditions attached, before you sign the tenancy agreement.

## **22.0 Changes to your housing application**

- 22.1 You must let us know if the circumstances of you, a joint applicant, or other members of your household or any number of you identified on your housing application change as this may affect the band we have placed you in.

## 22.2 **Change of circumstances**

22.2.1 This can include but is not limited to:

- a change of address
- a change of contact telephone details
- people leaving your household or more people coming into your household
- your health getting better or worse.

22.2.2 If we later discover a change in your circumstances that you have not detailed to us it could affect your housing application and/or you could be in breach of your tenancy.

22.2.3 It remains your responsibility to check with us whether or not a change of circumstances is relevant and/or affects your banding.

22.2.4 We may need you to fill in a change of circumstances form so that we can do a new assessment of your South Derbyshire Homefinder Band.

22.2.5 If there is a change in circumstances we may have to change your band and the date you were placed in the band. We will always write to tell you of any changes we make to your banding.

22.2.6 All applicants should contact South Derbyshire District Council. – See section 27.0 for details.

22.2.7 *We aim to process your change of circumstances within 10 days of receiving all the information we need from you and other relevant agencies.*

## 22.3 **A change in your needs**

22.3.1 If you, or a member of your household needs change you can ask us to review your South Derbyshire Homefinder Band.

22.3.2 If you have previously completed a medical assessment form and your housing circumstances change, you will need to fill in a new form. This is because the South Derbyshire Homefinder Band takes into account how housing impacts on the medical problem rather than the medical problem itself.

## 22.4 **South Derbyshire Homefinder Register review**

22.4.1 We will carry out a review of the South Derbyshire Homefinder Register every year.

22.4.2 We do this review to make sure that:

- the number of applicants on the register reflects the immediate needs for social housing
- applicants still want to stay on the register, and
- applicants' details are accurate and up-to-date.

## 22.5 **Cancelling your housing application**

22.5.1 Your housing application will be cancelled if, for example:

- you have asked us to cancel it
- you have not replied to our review letter
- you have been re-housed by a South Derbyshire Homefinder Landlord
- you have moved and not told us of your new address
- we have contacted you and you have not responded within 28 days
- you have given false or misleading information on your housing application
- you have not given us all the information we have asked for to support your application within 28 days.

22.5.2 If we cancel your application, we will tell you why in writing. See section 23.0 on Your Right to a Review for more information.

## 22.6 **Suspending Your Housing Application**

22.6.1 We could suspend your housing application if, for example:

- you are not eligible for an allocation under section 10.3 of this policy
- you have been assessed by the Housing Options Team or any other relevant support agency and it is determined that you are not ready for independent living
- there are reasons why you cannot move - for instance, you are due to go into hospital
- you need housing with support and are refusing a support package to help you keep up your tenancy
- we have written to you asking for information to support your application and we are waiting for your reply
- we have written to a support agency or worker to request information about you and are waiting for a reply.

- 22.6.2 If we suspend your housing application, we will tell you why in writing. See section 23.0 on Your Right to a Review for further information.

## **23.0 Your right to a review**

- 23.1 The Housing Act 1996, as amended by the Homelessness Act 2002, gives you the right to ask for a review if we decide not to allow you to join the Housing Register or make any decision that affects your housing application.

### **23.2 To request a review**

- 23.2.1 You, or your representative, must make your request to the Head of Housing at the South Derbyshire District Council offices in writing within 21 days of getting our written decision. You, or your representative, may give your reasons for requesting a review in person, if it is difficult to tell us your reasons in writing. We will give you a form of receipt that acknowledges your contact with us.

### **23.3 The decision about your review**

- 23.3.1 A senior officer, who has not been involved in the original decision, will look at your request for a review.
- 23.3.2 The officer will base his or her decision on the known facts at the time of the review. In some cases, they may need to ask you for more information to help them make a decision.
- 23.3.3 They will write to you about their decision and explain their reasons for it within 28 days.

## **24.0 Making a complaint**

### **24.1 The Housing Options Team**

- 24.1.1 We are committed to giving you the best possible housing service. We will always try and get it right, but we need you to tell us if we are getting it wrong.
- 24.1.2 If you are unhappy with the service the Housing Options Team provide please contact them to try to get the problem settled there and then. If you telephone or visit them please ask for the names of the people you speak to.
- 24.1.3 If you are still not satisfied with the response, you need to get the 'Making a Complaint about Council Services' form, available from the South Derbyshire District Council offices.
- 24.1.4 The Council's Corporate Complaints Officer will independently investigate your complaint.
- 24.1.5 If you are unhappy with the Corporate Complaints Officer's reply, you can make a complaint to the Local Government Ombudsman. This is an independent service run by central government to make sure that local authorities provide a certain standard of service to their customers – see 24.2.2 for contact details.

## 24.2 **Complaints against South Derbyshire Homefinder Landlords**

24.2.1 If you feel that you have been treated unfairly or have not been given a professional service by any South Derbyshire Homefinder Landlord, you should complain directly to them. All the South Derbyshire Homefinder Landlords have their own formal complaints policies and procedures.

24.2.2 If you have followed the South Derbyshire Homefinder Landlord's complaints procedure but are still unhappy, you may contact:

- the Local Government Ombudsman Advice Team on 0845 602 1983 or via their website at [www.lgo.org.uk](http://www.lgo.org.uk). Alternatively you may write to them at the following address;

Local Government Ombudsman  
PO Box 4771  
Coventry CV4 0EH

- the Independent Housing Ombudsman for complaints about registered social landlords.

Norman House  
105 – 109 Strand  
London  
WC2R 0AA

Telephone: 020 7836 3630  
Fax: 020 7836 3900

## 25.0 **Other housing options**

25.1 We offer other housing options. This includes providing information on:

### 25.2 **Low cost home ownership**

25.2.1 There are a range of low cost home ownership products which are intended to help people buy a home that they would otherwise not be able to afford. These products are known as HomeBuy.

25.2.2 There are three parts to the HomeBuy scheme:

25.2.3 **New Build HomeBuy** – where you share ownership of your home with a housing association. You buy a share of a property, usually 25%, 50% or 75% by way of a mortgage or cash payment, and pay rent on the remainder.

25.2.4 **Open Market HomeBuy** – where you part-buy a property and get a loan from a housing association for the rest. You will need to use your own money and raise a mortgage for around 75% of the cost of the property. The housing association will provide an interest free equity loan of up to £50,000 to cover the balance. Please note that funds for this scheme are limited.

25.2.5 **Social HomeBuy** – where housing association and local authority tenants are helped to buy their current home, either outright or on shared ownership terms with the benefit of a discount. Social HomeBuy does not apply to all tenants as the landlord must have decided to take part in the scheme.

25.2.6 If you would like further information on these schemes, including whether you are eligible to apply, you need to contact EMHomebuy on 0844 892 0112 or [www.emhomebuy.org.uk](http://www.emhomebuy.org.uk)

25.2.7 As a 'HomeBuy' agent they help people in Leicestershire, Nottinghamshire and Derbyshire access low cost home ownership schemes, and provide information and advice relating to the different products available.

### 25.3 **Right to buy**

25.3.1 The Right to Buy scheme allows you, as a council tenant, to buy your home for less than its full market value. The length of time you have been a tenant is used to decide on the level of discount you are given.

25.3.2 The rules on right to buy are complex. You can contact the Council for further information. Alternatively, you can download a leaflet on right to buy from the Department for Communities and Local Government website [www.odpm.gov.uk](http://www.odpm.gov.uk)

### 25.4 **Mutual exchange**

25.4.1 A swap of accommodation between two social housing tenants that relies on each party moving permanently into the other partner's property. For more details on how to register visit [www.HomeSwapper.co.uk](http://www.HomeSwapper.co.uk)

### 25.5 **Private landlord properties**

25.5.1 South Derbyshire Homefinder aims to advertise private landlord properties that are available to rent. The Council's Environmental Health team inspects each property before advertising to ensure it meets their standards.

### 25.6 **Deposit Guarantee Scheme**

25.6.1 The Deposit Guarantee scheme helps people in certain criteria who cannot afford a deposit or rent in advance when they want to rent a home in the private sector.

The Council provides a written guarantee to your new landlord.

You can get more information by contacting the Housing Options Team.

### 25.7 **Careline Telecare Solutions**

25.7.1 Careline Telecare Solutions is a monitoring service provided by the Council.

25.7.2 Some of the services provided by Careline Telecare Solutions are:

- personal alarm buttons
- smoke alarm sensors
- bogus caller buttons
- personal fall detectors
- home flood detectors
- regular courtesy calls and home visits.

25.7.3 You can pick and choose which services would help you. The services provide you with the reassurance and peace of mind you need to live your life independently.

25.7.4 You can get more information by contacting Careline Telecare Solutions by:

- telephone 01283 550938 or 01283 225810
- e-mail [careline@south-derbys.gov.uk](mailto:careline@south-derbys.gov.uk)
- web-site [www.south-derbys.gov.uk](http://www.south-derbys.gov.uk)

**Woodyard Lane Gypsy Site Plots** – *previously there was a section about allocation of plots. This has been removed as the Council no longer manages the site.*

## 26.0 **Garages**

26.1 The District Council also retains a number of garages and garage plots across the district to offer for rent.

26.2 Allocations are made on a waiting list basis but with preference given to existing tenants of South Derbyshire District Council.

26.3 Only one garage or plot will be allocated per tenant.

26.4 Tenants in arrears on their housing rent account will not be offered garages or plots.

## 27.0 South Derbyshire Homefinder Landlords

### **Civic Offices**

Civic Way  
Swadlincote  
Derbyshire  
DE11 0AH  
Tel: 01283 595795

## 27.1 Registered Social Landlords

### **Derwent Living**

1 Centro Place  
Pride Park  
Derby  
DE24 8RF  
Tel: 01332 346477

### **Peak District Rural Housing Association**

First Floor, 10 Cromford Mill  
Mill Road  
Cromford  
Derbyshire  
DE4 3RQ  
Tel: 01629 826040

### **East Midlands Housing Association**

Jubilee House, Stenson Road  
Whitwick Business Park, Coalville,  
Leicestershire.  
LE67 4NA

Tel: 01530 276000

### **Riverside Housing Association**

Riverside Midlands  
Riverside House  
49 Weston Boulevard  
Leicester  
LE2 7HN

Tel: 0116 2473824

### **Guinness Trust Housing Association Ltd**

Midland Area Office  
31 Claredon Park  
Clumber Avenue  
Nottingham  
NG5 1AH  
Tel: 0115 9628200

### **Spirita Limited**

New Enterprise House  
St. Helens Street  
Derby  
DE1 3GY  
Tel: 01332 375800

### **Home Housing Association**

2 St Andrews House  
Vernon Gate  
Derby  
DE1 1UJ  
Tel: 01332 294505

### **Trident Housing Association**

Chrysanthemum Court, Plummer Road  
Newhall  
Swadlincote  
Derbyshire DE11 0RG  
Tel: 01283 221799

### **Longhurst Housing Association**

26-28 High Pavement  
Nottingham  
NG1 1HN  
Tel : 0115 9582199

### **Trent & Dove Housing**

Head Office, Trinity Square  
Horninglow Street  
Burton on Trent, Staffs  
DE14 1BL  
Tel: 01283 528528