

SLIGO COUNTY COUNCIL'S ALLOCATION SCHEME
In accordance with
Section 22 of the Housing (Miscellaneous Provisions) Act, 2009
and
Social Housing Allocation Regulations 2011 (SI No 198 of 2011)

1.0 General Provisions

1.1 Sligo County Council is described in this scheme as the Housing Authority.

1.2. The purpose of this Allocation Scheme is to provide a means for determining the priority to be given in the allocation of dwellings to:-

- households assessed and qualified for social housing support in accordance with Section 20 of the Housing (Miscellaneous Provisions) Act, 2009 and associated regulations and
- households transferring from a dwelling, including from a dwelling provided under the Social Housing Leasing Initiative or the Rental Accommodation Scheme and
- including transfers to new dwellings designated under the Incremental Purchase Scheme.

1.3 The Allocation Scheme applies to dwellings provided under the Housing Acts 1966 -- 2009 or Part V of the Planning and Development Act 2000:-

- of which the Council is the owner and
- of which the Housing Authority is not the owner and which are provided under a contract or lease between the Housing Authority and the owner concerned including dwellings provided under the Social Housing Leasing Initiative and Rental Accommodation Scheme and
- dwellings owned and provided by Approved Housing Bodies to whom assistance is given under section 6 of the Housing Act 1992 for the purposes of such provision.

1.4. The Housing Authority may disregard the order of priority given to a household under this allocation scheme where the household is being provided with social housing support:-

- in a dwelling let to the household under a Chapter 4 Tenancy Agreement i.e Rental Accommodation Scheme having been assessed under Section 20 (3) of the Housing (Miscellaneous Provisions) Act 2009,
- households deemed as being homeless under Section 2 of the Housing Act 1988 or
- arising from specified exceptional circumstances

- 1.5. In the determination of the appropriate social housing support a household must be deemed eligible and in need of social housing support having being assessed and qualified for social housing support in accordance with Section 20 of the Housing (Miscellaneous Provisions) Act, 2009 and associated regulations. Eligibility and need will also be re-examined and confirmed prior to allocation.
- 1.6. The Housing Authority may determine as it sees fit, to set aside a particular number or proportion of dwellings becoming available to the authority for letting to households of such category or categories as the Authority may decide or to households transferring from other forms of social housing support. Where such a number or proportion is set aside priority shall be afforded to the specific category or categories of households in the letting of those dwellings.
- 1.7. The Housing Authority may disregard the accommodation the household is occupying where the housing authority has reason to believe that the household, or any member of it, has deliberately or without good and sufficient reason, done or failed to do anything (other than an action or omission in good faith) in consequence of which the accommodation the household is so occupying is less suitable for its adequate housing than other accommodation which it would have been, or it would be, reasonable for the household to occupy.
- 1.8. All allocations shall be subject to the principles of good estate management.
- 1.9. All nominations to dwellings owned and provided by Approved Housing Bodies shall have regard to the Order of Priority/Allocation Procedure.

2.0 Refusal of Offer

- 2.1. Where a qualified household refuses two (2) reasonable offers of the allocation of different dwellings made by one or more than one housing authority in the relevant application area in any continuous period of one year commencing on the date of the first refusal, the said household shall not, for the period of one year commencing on the date of the second refusal, be considered by any Housing Authority for the allocation of a dwelling to which Section 22 of the Act of 2009 applies and the latter period shall not subsequently be reckonable in any way for the purposes of determining the relative priority of that household for a dwelling allocation.
- 2.2. An offer of a dwelling allocation by the Housing Authority shall be deemed to be reasonable where the allocation of that dwelling would, in the opinion of the authority, meet the accommodation needs and requirements of the qualified household concerned and the dwelling is situated in an area of choice specified by the household, except in the case of a dwelling allocated in exceptional or emergency situations.
- 2.3. Refusal of offers of accommodation offered under RAS and/or Leasing shall be treated as a refusal of accommodation.

3.0 Transfers

- 3.1 Nothing in the scheme shall operate to prevent the Housing Authority from transferring a suitable household to a new or vacant house. However, the scheme will operate to determine priorities as between households in this category.
- 3.2 Households in receipt of social housing support including tenants of houses owned by the Housing Authority, tenants of dwellings under the Social Housing Leasing Initiative, tenants of the Rental Accommodation Scheme and tenants of houses owned or provided by Approved Housing Bodies will be considered for a transfer to other forms of social housing support under the following conditions:-
- Overcrowding, as defined by the Housing Act 1966
 - Unfit, having regard to the Second Schedule of the Housing Act 1966
 - Where elderly and other small households wish to surrender family type accommodation and move to smaller accommodation
 - Medical / compassionate reasons
 - Exceptional circumstances

Notwithstanding the above, households seeking a transfer must fulfil the following requirements and produce documentary evidence to the satisfaction of the Housing Authority

- Hold tenancy in their present dwelling for a period of at least two (2) years
 - Have a clear rent account for at least twelve (12) months prior to application
 - All service and other charges paid up to date
 - Kept their dwelling in a satisfactory condition, subject to inspection
 - Complied with all conditions of their tenancy agreement during tenancy,
 - Have no record of anti-social behaviour
 - Produce documentary evidence from their current landlord, i.e a Housing Authority or Approved Housing Body, that it cannot provide adequate accommodation for the household from within its own housing stock
- 3.3 Priority may be given to a household in receipt of social housing support in a property that is not owned by the Housing Authority and the property is no longer available to them through no fault of their own, i.e. rental accommodation availability arrangements, long term leasing initiatives.

4.0 Mutual Exchange of Dwellings

- 4.1 Households will be permitted to exchange dwellings with other households of the Housing Authority or any other Housing Authority or Approved Housing Body or households in existing social housing support where both households can fulfil the following requirements and produce documentary evidence to the satisfaction of the Housing Authority:-

- Hold tenancy in their present dwelling for a period of at least two years
- Have a clear rent account for at least twelve months prior to application
- All service and other charges are paid up to date
- Kept their dwelling in satisfactory condition subject to inspection
- Complied with all conditions of their tenancy agreement during tenancy,
- Have no record of anti-social behaviour
- Have inspected the alternative accommodation and are satisfied as to its suitability and condition

An exchange of dwellings shall not be permitted if as a result it would lead to the creation of overcrowded conditions for either tenant or would otherwise in the opinion of the Housing Authority not be in the interests of the proper management and control of its housing stock.

5.0 Tenancies

5.1 Succession of Tenancy

On the death or departure of a tenant the tenancy may be transferred to the spouse / partner of the tenant or to a member of the tenant's immediate family normally resident in the dwelling at the date of the tenant's death or departure. Any successor to the tenancy must fulfil the following conditions to the satisfaction of the Housing Authority;

- Have been declared as an occupant of the dwelling and been contributing to the rent thereof for a period of at least twelve (12) months prior to the death or departure of the tenant
- Provide satisfactory documentary evidence to the Housing Authority that they have been normally resident in the dwelling for a period of at least twelve (12) months prior to the death or departure of the tenant
- Be eligible and qualified for social housing support
- Clear any outstanding rent arrears or charges due on the dwelling
- Have no record of anti-social behaviour. A Garda vetting check shall be carried out to verify this.
- In certain circumstances where succession is being considered, the Housing Authority may require the family member to move to another property if it considers the property to be too large or the property has been designed or adapted for the use of someone with a disability who no longer resides in the property.
- No succession of tenancy shall be considered where properties have been designated for a particular class(es) of households.

5.2 Joint Tenancy

Where a tenancy relationship subsequently breaks down, the Housing Authority may decide, after considering all circumstances, which spouse / partner, if either, is to be granted the tenancy. Preference will generally be given to the spouse / partner who has custody of the children, if any.

6.0 Forms of Tenure

Tenancy under Licence / Caretakers Agreement

- 6.1 The Housing Authority may in certain exceptional circumstances, when considered appropriate, allocate a housing support under a Licence / Caretakers Agreement. The Licence / Caretakers Agreement relates to the granting of a temporary housing support. This shall be for a period of six months after which time a review shall be undertaken. A decision shall then be made regarding the extension or granting of the full tenancy / housing support.
- 6.2 In the interest of good estate management, or in order to facilitate or promote the implementation of policies on tenant participation on estate management, the Housing Authority may, as it thinks fit, allocate any dwelling to an approved resident association, community group, or other voluntary or statutory agency in order to facilitate that group in furthering its aims and objectives and in carrying out various activities for the benefit of the residents generally in the estate.

7.0 Choice Based Letting

- 7.1 The Social Housing Allocation Regulations, 2011 provide the option of choice based letting as a method of allocating dwellings, whereby qualified households may apply for tenancies in designated dwellings known as bid dwelling(s). Properties designated for Choice Based Letting will be allocated by being openly advertised allowing qualified households to 'bid' or 'register an interest' in these properties. The Housing Authority may use this option as a method of allocating properties as part of this allocation scheme.
- 7.2 A refusal by a qualified household of an offer of the allocation of a bid dwelling shall not constitute a refusal in accordance with the terms of Clause 2.0 above.
- 7.3 Where a qualified household refuses a reasonable offer by a Housing Authority of the allocation of a bid dwelling, that household shall not, for the period of one year commencing on the date of such refusal, be entitled to make a further application under choice based letting to any Housing Authority for the allocation of a bid dwelling.

8.0 Allocation Procedure

- 8.1 The order of priority for the allocation of appropriate social housing supports to households or particular classes of households shall be determined on a points system and having regard to areas of choice specified by the household(s). Points shall be awarded as follows:-

Accommodation standard related to household

Unfit	Up to 50 points
Overcrowded	Up to 40 points

Unfit having regard to the Second Schedule of the Housing Act 1966.
Overcrowded as defined by Section 63 of the Housing Act 1966.

Household Income and Rent

% of Income (nett)	Points
10	10
20	20
30	30
40	40
50	50

Where points are claimed under this category satisfactory evidence of income shall be submitted. Rent receipts or any other agreed form of rent verification shall be produced.

Time on Housing List

10 points per year up to 50 points.

Medical, Compassionate & other special circumstances

Medical Up to 50 points

- Where a household or member of a household is seeking social housing support for medical reasons, the household or member of the household concerned shall submit a medical report from a Consultant specifying the nature of the medical condition or disability and noting whether the condition is degenerative.
- Where a household or member of a household is seeking social housing support and has specific accommodation requirements an Occupational Therapist's report shall be submitted by the household.

Compassionate and other special circumstances Up to 50 Points

The Housing Authority shall in deciding points under this heading have regard to the general suitability of the household for the vacancy that has arisen and the housing conditions of the household. Points under this heading shall be awarded at the date of allocation.

8.2 In the case of equality of points the final decision shall be made by the Director of Services.

9.0 Appeal Provision

9.1 If a household for social housing feels aggrieved by the number of points awarded, it shall have the right to appeal the assessment to the Director of Services whose decision on application shall be final.

10.0 Confidentiality of Points Awarded

10.1 The amount of points awarded in the case of any application shall not be disclosed by the Housing Authority to any other person or body save with the consent of the Household.

11.0 Grounds for Refusal to Allocate a Dwelling

11.1 Notwithstanding the provisions of the Scheme, Section 14(1), as amended, of the Housing (Miscellaneous Provisions) Act, 1997 provides that a Housing Authority has the right to refuse to make or defer the making of an allocation.

11.2 The Housing Authority may refuse or defer the allocation of a dwelling to a person where:-

- the authority considers that the person is /has been engaged in anti-social behaviour or
- that an allocation to that person would not be in the interest of good estate management or
- the person fails to provide information, including information relating to persons residing or to reside with that person, which is requested by the authority and which the authority considers necessary in connection with an application for an allocation or
- subject to any further provisions contained within the Housing Authority's adopted Anti-Social Behaviour Strategy.
