

Moving home

with

the Council



ADVICE *for*
COUNCIL TENANTS

 Epping Forest
District Council
www.eppingforestdc.gov.uk

Most people move home a number of times in their lives – a growing family is a common reason for wanting to move.

We must follow rules when letting properties, and unfortunately there are never enough properties available to let. We group all those seeking accommodation into three ‘priority’ bands based on their current situation. The banding scheme is set out later in this leaflet.

What is the Housing Register?

The Housing Register is a list of 'Home seekers' who are waiting to be offered a council or housing association property. Home seekers include applicants who have applied to the Council for housing, and existing tenants who wish to transfer to alternative accommodation.

Who can join the Housing Register?

The Housing Register is open to home seekers of 18 years of age and over.

Local Eligibility Criteria

Under the Housing Allocations Scheme, applicants need to meet with the **Local Eligibility Criteria** in order to qualify for inclusion on the Council's Housing Register. To be a qualifying person you would generally need to meet with all of the following criteria:

- Be a person who has lived in the Epping Forest District for more than 7 continuous years immediately prior to your date of registration. If you have moved out of the District into settled accommodation for less than 2 years, but, lived in the District for more than 7 years before moving out of the District, you may still qualify under this criteria.
- If you are a member or former member of the Armed Forces or Reserve Forces (or you are their spouse or child including step-children), and you are applying within 5 years of discharge, or you are a bereaved spouse or civil partner of a member of the Regular Forces and are leaving services' family accommodation following the death of your spouse or civil partner, then the above does not apply to you.
- You must have a housing need as defined by at least one of the Banding Criteria (see later in this leaflet).
- If you are an existing tenant of the Council and are living in either 2 or 3

bedroom flatted accommodation (including maisonettes) and you meet with the Local Eligibility Criteria but have no housing need, you will qualify to join the Housing Register and will be able to bid for houses that meet with your housing need. Furthermore, your tenancy commencement date on your flat will become your registration date.

- Depending on your circumstances, the Residency Criteria may not apply to you if:
 - you are an existing local authority or housing association tenant who is experiencing hardship and needs to move to be nearer to your place of work, or to take up an offer of long-term employment or an apprenticeship
 - or
 - you are a person entitled to a reasonable preference under Part 6 of the Housing Act 1996 as amended and can demonstrate an exceptional need to either leave your current area or move to the Epping Forest District
- You must not have sufficient funds to enable you to meet your own housing costs under the limits set out under our Scheme (amounts received as compensation for injury or disability sustained on active service by members of the Armed Forces are discounted).
- You must not have been guilty of serious unacceptable behaviour within the last 7 years, as set out in our Scheme.

If your application is refused, you have a legal right to ask for a review of the decision.

To find out more a copy of our full Housing Allocations Scheme can be found on our website. You can find the address on the back of this leaflet.

If in the future your circumstances change, and you believe you meet the criteria of the scheme, you may make a fresh application at that time.

Supplementary Waiting List

The Council operates a separate Supplementary Waiting List for non-qualifying applicants over 60 years of age who do not meet with certain aspects of the Local Eligibility Criteria.

Applicants will only be able to 'bid' under the HomeOption Scheme for council or housing association properties in sheltered accommodation, or grouped dwelling schemes (not bungalows) for older people. Home seekers on the Council's Housing Register who have submitted bids will be given priority over applicants on the Supplementary Waiting List.

Any offers of tenancies made to applicants on the Supplementary Waiting List will be prioritised in registration date order. Prior to any offer, the Council will undertake an in-depth assessment of the applicant to decide if the accommodation is suitable. The following aspects of the Local Eligibility Criteria will apply when we decide if the applicant is eligible for inclusion on the Supplementary Waiting List:

- A financial assessment
- Any serious unacceptable behaviour
- Any false statements or information withheld by the applicant

Joining the Register

Applications must be made on-line using the following website address:
www.homeoption.org

If you need assistance with this process please phone the **Rehousing Team on 01992 564716**. When you have submitted your form, you will be given a reference number (HOIN). It is important to keep this as you will need to quote the number when contacting us.

In order to validate your application, you will be asked to provide the documents listed at the end of the form to confirm your eligibility.

Once you have registered, you will be able to start expressing your interest in vacant properties. You will receive a letter/email explaining how to do this.

Make sure you tell us about any change in your circumstances that could affect your application, such as a change of address or an addition to your family. If you fail to keep us up to date, your application may be cancelled.

Choice Based Lettings

The Council operates a choice based lettings scheme called HomeOption. The scheme enables home seekers to express their interest in available properties (sometimes called 'making a bid'). These are advertised on the HomeOption website. A printed list of available properties is available at the offices listed on the back of this leaflet. All new home seekers are sent details explaining how the scheme works.

More information on HomeOption is available at www.homeoption.org
If you want assistance with participating in the scheme please contact our Rehousing Team on **01992 564716**.

What happens when a property becomes available to let?

After we have received all the expressions of interest for a vacant property we must offer it according to our own rules.

Home seekers will be placed in priority order taking into account:

- a) their 'bandings' on the Housing Register
- b) the length of time they have been waiting for a move

When all the expressions of interest have been received, the eligible home seeker with the highest priority will be made an offer. We decide on your banding when we have looked at the current situation of your household and other things you have told us, such as the size of property you need. We also take into account any special features of the accommodation.

Penalties for refusing offers of accommodation

You will have your application deferred for a period of two years if, whilst on our list, you refuse **two offers** of suitable accommodation (in any period) for which you have expressed an interest. If you are a Home seeker who is an existing tenant of the Council who is under-occupying and wishing to move to smaller accommodation and you refuse **four offers** of suitable accommodation (in any period) for which you have expressed an interest, you will have your application deferred for a period of 12 months. Following expiry of any deferment period, you will be re-instated to your original band on the register provided your circumstances have not changed in the meantime.

Downsizing Incentive scheme

Incentives are available if you are an existing tenant of the Council living in one of our larger properties and you want to move to one of our smaller properties. **Please ask the Rehousing Team if you want more information.**

The Priority Banding scheme

Everyone on the Housing Register is put into one of the three 'priority' bands which are as follows:

Priority Band A

- (i) Any member of the Armed Forces, or former Service personnel, or serving or former members of the Reserve Forces who joins the Council's Housing Register, are given priority above all other applicants within Band A, where they are assessed by the Council's Medical Advisor as suffering from a serious injury, illness or disability which is wholly or partly attributable to their service, where the application is made within 5 years of discharge.
- (ii) Bereaved spouses or Civil Partners of those serving in the regular forces where the bereaved spouse or Civil Partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or Civil Partner and the death was wholly or partly attributable to their service.
- (iii) Home seekers with Council or Housing Association tenancies in the District wanting to move to accommodation with fewer bedrooms than the property they currently occupy on a permanent basis.
- (iv) Home seekers needing to move on urgent medical grounds or urgent grounds relating to disability.
- (v) Home seekers needing to move on urgent welfare grounds.
- (vi) Home seekers occupying insanitary or overcrowded housing which poses a serious health hazard, or otherwise living in unsatisfactory conditions (in accordance with housing legislation) but not as a result of the introduction of a further household.
- (vii) Home seekers with mobility problems will be given priority for ground floor flats and bungalows above other home seekers in this Band (with the exception of Band A (i)), regardless of their waiting time, on recommendation of the Council's Medical Advisor.
- (viii) Home seekers needing two or more additional bedrooms compared to their current accommodation.

Priority Band B

- (i) Home seekers defined as a household, who are sharing accommodation with another household for a minimum of 2 years, which is resulting in a lack of at least one bedroom.
- (ii) Home seekers who need to move to a particular locality within the District where failure to meet that need would cause hardship to themselves or to others.
- (iii) Home seekers who can demonstrate they would otherwise be one household, but are having to live apart from other members of their household because of a lack of accommodation, (which would lead to statutory overcrowding if they occupied accommodation available to them individually) but not for personal reasons (i.e. family disputes).
- (iv) Home seekers needing one additional bedroom compared to their current accommodation.
- (v) Existing tenants of the Council:
 - living in 2 or 3 bedroom flatted accommodation (including maisonettes) who meet the Local Eligibility Criteria under Paragraph 14 of the Scheme (apart from the Housing Need element), making expressions of interest for houses that meet with their housing need, with their registration date being the tenancy commencement date of their current property.
- (vi) Existing tenants living in sheltered accommodation, who are wishing to move within their own scheme or to another sheltered scheme within the District.
- (vii) Existing tenants of the Council aged over 60 years, living in 1 bedroom council accommodation wishing to move to sheltered accommodation regardless of their need.

Priority Band C

- (i) All Home seekers (in accordance with Paragraph 14.3(f) of this Housing Allocations Scheme), who need to move to be nearer to their place of work, or to take up an offer of permanent employment, an apprenticeship or full-time work related training.
- (ii) Home seekers sharing accommodation with another household.
- (iii) Any member of the Armed Forces or former Service personnel, or serving or former members of the Reserve Forces who have no housing need, and the application is made within 5 years of discharge.
- (iv) Spouses and children (including step-children) of existing and former Armed Forces Personnel (where the application is made within 5 years of discharge) seeking accommodation in their own right, provided that one of their family members (as defined by Section 113 of the Housing Act 1985) has lived within the District for at least 3 years immediately prior to the date of application.
- (v) Home seekers needing to move on moderate medical grounds or moderate grounds relating to disability.
- (vi) Home seekers in the Council's interim accommodation awaiting their homelessness decision under S.184 of the Housing Act 1996 as amended.
- (vii) Any applicant who is entitled to a reasonable preference under Part 6 of the Housing Act 1996 as amended and can demonstrate an exceptional need to either leave their current local authority's area or move to the Epping Forest District.
- (viii) All home seekers to whom the Council does not owe a full homelessness duty, where there is a requirement under the Housing Act 1996 as amended to afford reasonable preference **on the ground of homelessness.**

What size property are we likely to be offered?

The sizes of properties allocated to people on the Housing Register will normally be based on the size of the household, and how it is made up.

What type of tenancy will I be offered?

Secure (fixed-term) Tenancies will be granted on all properties. Under the current rules in force at the time of writing, there are some exceptions which include sheltered accommodation and grouped dwelling schemes for older people, existing tenants who are downsizing and in certain circumstances where existing tenants are either transferring or entering into a mutual exchange.

Homelessness

If you are homeless, or likely to become or be threatened with homelessness, you should seek advice from our [Homelessness Team on 01992 564165](#).

Appeals and access to information

You can appeal if you are unhappy about a housing decision that we have made about you. You should appeal in writing to the Rehousing Team Manager at the Civic Offices, Epping CM16 4BZ. Following the conclusion of your appeal, you can proceed to the Local Government Ombudsman or Housing Ombudsman if you are still not satisfied with the decision (we can explain how to do this).

You are entitled to see your file and to have copies of some documents free of charge.

Equal opportunities and personal data

We will treat you equally in accordance with the Equality Act 2010 which targets unlawful discrimination in relation to these characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex, and sexual orientation. If you join the Housing Register we will ask you some questions about yourself. Any answers that relate to your housing needs will be added to your personal record (such as a disability or certain medical conditions). Other details (your race or belief for example) are used for our statistical purposes only.

Epping Forest District Council is a Data Controller. Our Housing Application Form and Tenancy Agreement give further details on how we comply with the General Data Protection Rules (GDPR).

Joint Tenants

When you apply to the Council for housing you are allowed to register for a 'joint tenancy' with another person. This could be your husband, wife, partner, civil partner or in some circumstances a live-in carer.

The advantage is that you both have equal rights and security, providing you meet the conditions of the tenancy. But equal rights also mean equal responsibility so you should be sure, before you apply for a joint tenancy, that it will be the right thing for you in the long term. It is very important that you both read the Council's leaflet 'Joint tenancies'.

Social Housing fraud

If you knowingly or recklessly make a false statement, or withhold information that the Council has reasonably required you to provide, your housing application will be cancelled.

We may take legal action if we find out later that you were given a tenancy on the basis of false or misleading information. You could lose your home and be fined.

Any original documents presented will be scanned to ensure their authenticity.

Mutual exchange

A mutual exchange is a 'swap' between two or more tenants who have Secure Lifetime or Secure (fixed-term) Tenancies. You could move to another council or housing association property anywhere in the country. The exchange is arranged by the tenants, but you must get the permission of your landlord, and ensure that your exchange partners have done the same.

We have a partnership with the HomeSwapper service to help tenants find exchange partners. HomeSwapper is one of the UK's largest mutual exchange services. It offers a local and national service using an internet based search facility.

To advertise your property for mutual exchange you should visit the HomeSwapper Website at www.HomeSwapper.co.uk. After you have registered you simply need to supply your property details and a photograph if you wish. There is no charge to our tenants because the Council has subscribed on their behalf.

If you have no access to the internet you can ask our Rehousing Team to register your property. You can view the HomeSwapper exchange list at our offices in Epping, Loughton and Chigwell (see back page for details).

Mutual exchanges are governed by the following rules:

1. Exchanges are subject to the approval of all landlords involved. No property may be exchanged without the written consent of each landlord.

2. Tenants must view the property they intend to move into.
3. Exchanges are allowed on the understanding that no expense will fall on the Council. This means that you must accept the property as it stands and bear the cost of all tenant obligations in respect of repairs and redecoration.
4. All tenants involved in the exchange must move into their new homes, and continue to live in them, once the exchange has been approved.
5. Exchange approval is conditional on a clear rent account. The Council will not give consent for a mutual exchange if a Notice has been served outlining an intention to commence Court proceedings against the tenancy or if court proceedings have been commenced or if there is a Court Order in force (such as a possession order). Approval will not be given if an application has been made before any court for a relevant order against anti-social behaviour. This includes an Injunction or Criminal Behaviour Order and applies to any member of the household.
6. Exchanges causing over-crowding or under-occupation of two or more bedrooms are not allowed - even if the tenants wish to exchange two properties of the same size.
7. Applications must be in writing using forms available from the Housing Options Section.
8. You may only include a council garage in the exchange if it is within the boundaries of the property. Any other garage tenancy must be given up.

There are different types of tenancy agreement, and some give you more rights than others. Council tenants will have Secure Lifetime or Secure (fixed-term) Tenancies - and some secure tenants may have more rights than others, depending on their tenancy commencement date. It is important to understand what your rights will be in a new home before you agree to a mutual exchange, so you must seek advice from your Housing Management Officer.

As the in-going tenant, you will become responsible for the upkeep of any alterations and adaptations carried out by previous tenants. It is very important that you check the following items in the property to which you are moving before you agree to an exchange:

- Kitchen cabinets and work surfaces
- Sanitary ware (including sink units, wash basins, toilets, baths and showers)
- Fitted wardrobes and cupboards
- Light fittings
- Heating appliances
- Outbuildings and garden sheds
- Paths and patios
- Doors

If any of these were installed by a previous tenant, and are not standard council fittings, you must make sure that the works were done with the Council's written consent.

Sometimes tenants have had to remove garages, lean-tos and porches because they were erected without permission from the Council.

You must check that any items installed by the exchange partner are in good order, and agree that they will be left for you. You will be responsible for their future maintenance and replacement.

In addition, you should check that there are current gas and electrical safety certificates for your property, and the one you are preparing to move to.

Please refer to Tenants Handbook section '[Repairs and Improvements to your Home](#)', for further information about maintenance of Mutual Exchange properties.

Further information

This leaflet summarises our Housing Allocations Scheme and is for guidance only. You can download a copy of the full Scheme from the Council's website www.eppingforestdc.gov.uk – Residents/Housing/Housing Advice/Applying for housing.

How to contact us:

Rehousing Team

Epping Forest District Council, Civic Offices, High Street,
Epping, Essex CM16 4BZ.

Phone: 01992 564716 or 01992 564000 (main switchboard)

Email: rehousing@eppingforestdc.gov.uk

Website: www.eppingforestdc.gov.uk

The information given in this leaflet was correct at 1 October 2020. Please be aware that there may have been changes since that time, such as new laws or council policies.

Tell us if you would like this information provided in any other way, as a large print version for example.