



# GRAMPIAN

HOUSING ASSOCIATION LTD

**Subject:** Lettings Policy  
**Approved By:** Leadership Team  
**Approval Date:** March 2021

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## POLICY OUTLINE

The key aims of the Association's Lettings Policy are to:

- Maximise the opportunities for households in need to access housing;
- Enable households to make informed choices through the provision of clear information and advice to access housing;
- Provide a straightforward application process;
- Empower households through the use of a digital lettings service;
- Give suitable priority to people with significant levels of housing needs, (and/or support needs, as appropriate), without discriminatory restrictions;
- Promote sustainable communities, where people want to live, by making best use of housing stock and working with all appropriate stakeholders;
- Promote equality of opportunity and to ensure that, in letting of housing, the Association does not unfairly discriminate against any individual, household or group

## Related Policies

Equal Opportunities (Service Provision)	HMG/606
Rent Management	HMG/601
Void Management	HMG/607
Anti-social Behaviour	HMG/604
Shared Ownership	HMG/624
Complaints, Comments & Compliments	CORP/139
Entitlements Payments and Benefits	CORP/160

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## **Equal Opportunities**

Grampian Housing Association is committed to delivering equal opportunity and adheres to both the Equality Act 2010 and the Human Rights Act 1998. The Association will not unfairly discriminate against any individual, household or group on the grounds of age, disability, gender, gender reassignment, race, religion or belief, and sexual orientation.

The Association has used equality impact assessment (EIA) as a method of ensuring that this policy does not unfairly discriminate against individuals, households or groups, while also being as clear and consistent as possible.

Examples of support mechanisms that can be used to facilitate access to housing from people facing particular difficulties include:

- Email alerts of vacant properties to applicants and agencies;
- Facility to translate letting information into other languages;
- Information on vacant properties advertised via email or phone;
- Proxy bidding by advocates, family members, agencies etc;
- Provision of personal assistance in navigating the application process, including assistance to complete applications where appropriate;
- Read aloud services through Read Speaker;
- Contact with applicants with the highest priority (gold) if no interest in properties has been made within a set time.

## **Regulatory Framework**

This policy operates within the legal framework provided by the Housing (Scotland) Act, 2001 (as amended by The Housing (Scotland) Act 2014) and the Housing (Scotland) Act 1987, (as amended by the 2001 and 2014 Acts).

The policy also considers guidance on social housing lettings from the Scottish Government as well as following established best practice.

## **Access to the Housing List**

Any person who is aged 16 or over, or any household where there is at least one person aged 16 or over, may apply to be placed on the Housing List and have their need for accommodation with the Association assessed.

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## **Digital Lettings Service**

The Association operates a choice based digital lettings service for lettings through These Homes. The system is used to let our rented housing stock in Aberdeen City, Aberdeenshire and Moray. Details on our Shared Ownership and mid market rental properties can also be accessed via These Homes.

Through These Homes applicants are able to apply for properties that they are interested in. Applicants with a significant housing need can apply for a priority award which may aid them in increasing their priority to receive an offer of housing.

## **Mutual Exchanges**

The Association promotes the use of mutual exchanges as a vehicle for tenants moving home both for need and aspiration. The Association is part of the House Exchange network and is encouraging in assisting tenants to register for a mutual exchange.

## **Transfers**

The Association acknowledges that tenants' circumstances may change and they may require alternative accommodation to better suit their needs. In order to address this need, priority will be given to GHA tenants for approximately 25% of all vacancies advertised on These Homes. This ensures best use of, and movement within our stock.

## **Reasonable Preference**

The Association has set the priority awards for applicants under careful consideration of reasonable preference as detailed in Section 20 (1) of the 1987 Act (as amended) and reflects that reasonable preference must be given to applicants who:

- Are homeless or threatened with homelessness;
- Are occupying houses which do not meet Tolerable Standard, or are occupying overcrowded houses, or have large families;
- Are living under unsatisfactory housing conditions.

The Association has set priority needs awards against these categories with the aim that lets will be successful and sustainable for both the applicants and the wider community, and will make best use of the Association's stock.

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## **Tenancy Agreements**

All offers of tenancy in rented properties (other than in circumstances outlined below) will be on the basis of a full Scottish Secure Tenancy (SST). Short SST's will only be offered by the Association where grounds under Schedule 6 of the Housing (Scotland) Act 2001 (as amended by the Housing (Scotland) Act 2014) apply. In summary, these grounds are:

- Previous anti-social behaviour within 3 years of the offer of tenancy;
- Prospective tenant or other household member is subject to an Anti-Social Behaviour Order under Section 19 of the Crime and Disorder Act, 1998;
- Temporary lets to persons moving to the area for employment whilst seeking permanent accommodation;
- Temporary lets in properties awaiting development;
- Temporary homeless accommodation;
- Lettings in properties not owned by the Association but leased from other bodies.
- In certain circumstances where the prospective tenant is a home owner

For Shared Ownership properties an appropriate Occupancy Agreement will be used detailing the conditions of occupancy and size of share.

Those allocated a mid-market rental property will sign for a Private Residential Tenancy (PRT).

## **Applicant's Housing Requirements**

The Association will look at best use of accommodation in making each letting. This will take account of factors such as the size of accommodation needed by the household, requirements for an adapted property and support needs.

Whilst recognising the principle of choice for applicants, the following criteria may be used in determining best use of a particular size of property.

The following each require a separate bedroom:

- A single adult;
- Two adults who are partners;
- Children of different sexes where the eldest has reached age 8;
- A young person who has reached the age of 14 years;
- Children of the same sex where there is a 10 year or more age gap;
- Where there is an assessed medical reason;
- Where an additional room is required for medical equipment;

Permanent carers and foster children who are part of a household will be assessed as part of the family.

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## **Amenity Housing**

Amenity housing is self contained accommodation that is specifically designed with older people in mind. It may have some of the following characteristics; walk-in-showers; grab rails; anti-slip flooring; all on one level etc.

The Association has a number of properties designed for amenity housing and where possible these will be let to applicants who are over 55 years of age. If there is no demand from applicants within this age group, the Association will use its discretion to let this property type to other applicants.

## **Rent Arrears**

Where an applicant has tenancy related debt, they will not be considered for rehousing unless the debt is less than one months rent or a repayment arrangement has been entered into and adhered to for a period of three consecutive months. The Association reserves the right to use discretion when extenuating circumstances apply.

## **Applications from Refugees and Asylum Seekers**

The Association will consider applications for accommodation from, or on behalf of refugees and asylum seekers. In assessing such applications, the Association will require to ensure that the applicant has appropriate authority from the Home Office and that provisions are in place for the financing of any tenancy offered.

## **Sustainable Communities**

The Association will consider household profile in terms of age range, sex or household type for specific lettings where this is considered necessary to address issues relating to estate management, vulnerability of other tenants or sustainability of the community within the properties managed by the Association. Upcoming voids will be identified prior to advertising the vacancy and a clear audit trail will be kept showing decisions made for such lets.

In certain circumstances such as in areas or property types with low demand, the Association may use discretion to allow an applicant to occupy a larger property than required. This may include but is not limited to those with access to children less than 50% of the week or where an applicant can demonstrate the need to work from home.

Management transfers will be considered in cases where the lettings policy would not allow for a suitable allocation to be made.

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## **Local Lettings Plans**

Under certain circumstances and where a new development is 20 units or more, in agreement with the relevant Local Authority the Association may use Local Lettings Plans (LLP) to manage lettings, for example, to support the Association to develop sustainable communities. Where an LLP is developed it will take account of local housing strategies. The LLP will be agreed and published in advance of being applied. The LLP will operate within statute and guidance. Where an LLP is put in place, the Association will report on the outcomes of the LLP against its aims and monitor its longer-term impact

## **Keyworkers**

A Key Worker is a public sector employee who provides an essential service. The Association will periodically review key worker status to ensure that we make best use of our housing stock, while letting vacant properties in a fair and transparent manner. In reviewing key worker status, the Association will consult with local authorities and other relevant organisations to ensure that the key worker status reflects the unique social and economic conditions prevalent across the Grampian area.

## **Applicants Posing a Risk**

The Association is committed to working in partnership under the Multi Agency Public Protection (MAPPA) arrangements to ensure that communities remain safe and that appropriate lettings are made. Lettings will be made with reference to the National Accommodation Strategy for Sex Offenders (NASSO) which sets out the overall objective to improve public protection by the adoption of consistent approaches to the assessment and management of risk and to ensure that appropriate resources are allocated to the management of offenders.

## **Lettings to Persons Connected to the Association**

If, under this policy, Association employees, Board members or relatives of these people qualify for the Letting of a tenancy, the offer must be approved by the Board of Management and registered appropriately in line with Schedule 7 of the Housing (Scotland) Act, 2001.

## **Ownership**

If an applicant owns a property the Association will not take housing need into consideration unless:

- the owner cannot secure entry;
- where occupying the property will lead to abuse from someone living in the property;
- where it is probable that occupying the property will lead to abuse from someone who previously resided with the applicant whether in that property or elsewhere;

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- where occupation of the property may endanger the health of the occupants and there are no reasonable steps that can be taken by the applicant to prevent that danger;

Where the applicant cannot secure entry to a property the Association will consider offering a SSST on a temporary basis until the housing need can be met by re-occupation.

All other home owners will be considered on a case by case basis.

### **Circumstances under which properties may be excluded from being advertised**

In order to meet current objectives and maximise best use of stock, it may be necessary under particular circumstances to exclude some vacant properties from our digital lettings service. Below is a summary of circumstances under which this will happen. This summary is not exhaustive.

Grampian Housing will consider referrals from other agencies if it is found that we can provide accommodation for the specialised needs of individuals.

In some circumstances, Grampian Housing may adapt a new build property for the needs of a specific household and this property will not be advertised on These Homes. Subsequent re-lets of the property however will be advertised.

In the event that existing or potential tenants need to be re-housed to accommodate major works in their properties, it may be necessary to identify a current vacancy and exclude this from These Homes.

It may be necessary to exclude some new build properties from These Homes, for example if the local authority has 100% nomination rights for a new housing development.

Mutual Exchanges will be excluded from These Homes; however, this route will be promoted by the Association as a route for re-housing using House Exchange.

The Housing First initiative is a programme aimed at providing permanent, settled accommodation to those who are homeless with specific support needs. The Association has pledged a small number of properties to assist with this initiative and applicants nominated through this project will be exempt from applying for a property through These Homes.

### **Nominations from Local Authorities**

Grampian Housing Association has a statutory obligation to assist our local authority partners (Aberdeen City, Aberdeenshire and Moray) to allocate properties to homeless applicants and to accept Section 5 referrals under the duty placed on them in the Housing (Scotland) Act 2001.



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The Association will manage its lettings arrangements with each of its local authority partners through a Lettings Protocol. This Protocol will ensure that applicants, other than those who are homeless, are not unnecessarily excluded from housing through regular monitoring of to whom properties are allocated.

## Advice and Information

In order to maximise access to our housing list the Association will publicise our properties available on These Homes through a wide range of sources and through links to the Local Authorities in our areas of operation.

We will work in partnership with other organisations to provide consistent advice and information as well as promoting alternative housing options.

## Right of Appeal and Complaints

In every case the Association and These Homes will try to resolve any concerns around service delivery informally. Where an applicant is unhappy with a specific decision that has been made in respect of their housing application, they can request that the decision is reviewed. The case will be reviewed by an independent staff member with no previous involvement in the original decision. Should an applicant be unhappy with the level of service received by These Homes, they may make a formal complaint in line with the Association's complaints policy which is available on our website and by request.

## Policy Review

The Housing Operations Lead will ensure that this policy is reviewed every five years and that any amendments required are submitted to the Leadership Team for approval.



## Appendix 1

### Definition of Categories and Priorities

HOUSING CIRCUMSTANCES CATEGORY			
<p>Housing circumstances categories exist to recognise applicant's current housing situation and the degree to which they can be considered secure or otherwise.</p> <p><b>Homelessness</b></p> <ul style="list-style-type: none"><li>Statutory Homeless (including residence in Statutory Homeless Hostel)</li></ul> <p>Proof will be required from relevant local authority regarding homelessness status e.g. letter from local authority.</p> <p><i>People who claim to be 'roofless', 'sleeping rough' or 'no fixed abode' should be encouraged to present themselves as homeless to their local authority, as no Gold priority award will be given without relevant verification.</i></p> <p><b>Impending Homelessness</b></p> <p>Where 56 days' notice or less has been given to vacate current accommodation as defined below:</p> <ul style="list-style-type: none"><li>In Care</li><li>Lodgings</li><li>Privately rented accommodation</li><li>Bed and Breakfast, Boarding House or Hotel</li><li>Owner Occupation (only where sale necessary)</li><li>Short stay hostel</li><li>Refuge</li><li>Tied Accommodation</li><li>HM Forces with confirmed leaving date</li></ul> <p>Proof will be required of impending homelessness e.g. Notice To Quit, letter from accommodation owners, letter from solicitors, written confirmation from institution, employers etc.</p>			
Priority			Definition
Gold	6 Month Time Limit	These Homes area limit and feature limit	Statutorily Homeless
Silver Plus	No time limit	No area or property feature limits	Impending Homelessness

## LACKING FACILITIES CATEGORY

The Housing (Scotland) Acts 1987 and 2001 define when accommodation should be considered to meet reasonable standards. This has been used in this category and states that housing is below reasonable standard if it fails to meet the following:

- Is structurally stable
- Is substantially free from rising or penetrating damp
- Has satisfactory provision for natural and artificial lighting, for ventilation or heating
- Has an adequate piped supply of wholesome water available within the house
- Has a sink provided with a satisfactory supply of both hot and cold water within the house
- Has a water closet available for the exclusive use of the occupants of the house and suitably located within the house
- Has a fixed bath or shower and a wash hand basin for the exclusive use of the occupants of the house, each provided with a satisfactory supply of both hot and cold water and suitably located within the house
- Has an effective system for the drainage and disposal of foul and surface water
- Has satisfactory facilities for the cooking of food for the exclusive use of the occupants within the house
- Has satisfactory access to all external doors and outbuildings

Priority			Definition
Silver	No time limit	No area or property feature limits	If three or more of the above definitions are not met
Bronze	No time limit	No area or property feature limits	If two of the above definitions are not met

Please note that applicants who are currently a tenant(s) of a Registered Social Landlord, including Grampian Housing Association, will not be awarded priority for Housing Circumstances or for Lacking Facilities as they will be deemed to have secure tenancies and properties that meet Tolerable Standards.

## OVERCROWDING CATEGORY

The following each require a separate bedroom:

- A single adult
- Two adults who are partners
- Children of different sexes where the eldest has reached age 8
- A young person who has reached the age of 14 years
- Children of the same sex where there is a 10 year or more age gap
- Where there is an assessed medical reason for persons who would normally share not to
- Where an additional room is required for medical equipment

Permanent carers and foster children who are part of a household will be assessed as part of the family.

Priority			Definition
Gold	6 Month Time Limit	Applicant can area and property feature limit	3 or more bedrooms short
Silver	No Time Limit	No area or property feature limits	2 bedrooms short
Bronze	No Time Limit	No area or property feature limits	1 bedroom short

## UNDER OCCUPATION CATEGORY

This category will be awarded to tenants of Registered Social Landlords only to promote effective asset management and maximise the opportunity for existing tenants to move to smaller accommodation should they wish to do so.

Priority			Definition
Silver	No time limit	No area or property feature limits	Two or more bedrooms surplus
Bronze	No time limit	No areas or property feature limits	One-bedroom surplus

MEDICAL CATEGORY			
Applicants who have a medical condition that they consider to be relevant to their application for housing will be assessed on the severity of the medical condition and the degree to which their housing circumstances affect this. A medical banding will first be awarded and then this will be translated into a CBL banding as follows:			
X-medical	Medical condition that requires immediate housing or re-housing		
Sevwho	Severe condition that is wholly affected by present circumstances		
Modwho	Moderate condition that is wholly affected by present circumstances		
Minwho	Minor condition that is wholly affected by present circumstances		
Sevmod	Severe condition that is moderately affected by present circumstances		
Modmod	Moderate condition that is moderately affected by present circumstances		
Minmod	Minor condition that is moderately affected by present circumstances		
Sevmar	Severe condition that is marginally affected by present circumstances		
Modmar	Moderate condition that is marginally affected by present circumstances		
Minmar	Minor condition that is marginally affected by present circumstances		
Assnil	No medical condition or suitably housed for medical condition		
It should be noted that where it is considered that a medical condition is only marginally affected by current housing or where there is a nil assessment then no banding will be awarded under this category.			
Priority			Definition
Gold	6 Months' Time Limit	Applicant can area limit and feature limit. These Homes can also feature limit	<ul style="list-style-type: none"><li>• X Medical</li><li>• Sevwho</li></ul>
Silver	No time limit	No area limits. These Homes can feature limit.	<ul style="list-style-type: none"><li>• Modwho</li><li>• Minwho</li><li>• Sevmod</li><li>• Modmod</li></ul>
Bronze	No time limit	No area limits. These Homes can feature limit.	<ul style="list-style-type: none"><li>• Sevmar</li><li>• Modmar</li><li>• Minmod</li></ul>

## PERSONAL CIRCUMSTANCES CATEGORY

This category recognises personal circumstances that require to be considered when assessing an application for housing:

- **Vacating Adapted Disabled:** households who are vacating an RSL tenancy that is adapted for disabled use because the adaptations are no longer required. Note: there must be significant, permanent adaptations to secure a Gold Priority.
- **Harassment or Violence:** where an applicant or a family member is under threat of or experiencing actual violence or harassment.

- **Domestic Abuse**

Police Scotland and the Crown Office and Procurator Fiscal Service (COPFS) define domestic abuse as:

"Any form of physical, verbal, sexual, psychological or financial abuse which might amount to criminal conduct and which takes place within the context of a relationship. The relationship will be between partners (married, cohabiting, civil partnership or otherwise) or ex-partners. The abuse may be committed in the home or elsewhere including online".

***Types of Domestic Abuse:***

Physical Abuse  
Sexual Abuse  
Mental/Emotional Abuse  
Controlling Behaviour  
Coercive Behaviour  
Financial or Economic Abuse

Applicants experiencing abuse as listed above will be entitled to a gold priority ass. In order to safeguard those experiencing domestic abuse and their children (if relevant), a gold priority pass may be awarded to the perpetrator in cases where the victim/survivor wishes to remain in the family home.

Only one gold priority pass will be awarded per household. In certain circumstances we may request further information.

- **Children at Risk:** where a child or children within the applicant's family is considered to be at risk.
- **Financial Hardship:** where a household's monthly rental/mortgage payments exceeds 30% of monthly income.

- **Separated Family:** where due to housing circumstances a family has no choice but to live separately.
- **General Assistance:** where an applicant requires to live in a particular area to access or to give assistance to a relative or family member. General assistance priority will only apply to areas where moving improves the applicant's ability to provide or receive assistance. General assistance is where the assistance makes a significant difference to the person's quality of life or ability to live at home. This priority is also awarded where childcare provided allows someone to work.
- **Current Neighbour Problems:** where a household is having mild or moderate difficulties with a neighbour that affects their ability to remain in their current accommodation.
- **Travel Time to Work or Education and Isolation from essential services:** where a household member/s has to travel to reach work or education or is isolated from essential services and the household wish to move to be closer to these. These are awarded regardless of whether or not the household are car owners but they must live at least 10 miles away from the facilities they are travelling to or are isolated from.
- **Relationship Breakdown;** where a relationship has broken down and the couple wish to live separately but cannot do so until alternative accommodation is secured for one of them.

*Proof/verification may be required for any of the above definitions*

PERSONAL CIRCUMSTANCES CATEGORY			
Priority			Definition
Gold	No time limit	No area or property feature limits.	<ul style="list-style-type: none"> <li>• Vacating Disabled Adapted</li> <li>• Domestic Abuse</li> </ul>
Silver	No time limit	These Homes will limit areas when general assistance is being awarded.	<ul style="list-style-type: none"> <li>• Harassment or Violence</li> <li>• Children at Risk</li> <li>• General Assistance</li> <li>• Financial Hardship</li> </ul>
Bronze	No time limit	No area or property feature limits.	<ul style="list-style-type: none"> <li>• Separated Family</li> <li>• Current Neighbour Problems</li> <li>• Travel time to work/education</li> <li>• Isolation from Services</li> <li>• Relationship Breakdown</li> </ul>