

## RESTRICTING ACCESS TO HOUSING POLICY

### 1. Purpose

This policy sets out the particular circumstances in which Black Country Housing Group (hereafter known as “The Group”) will not accept applications for housing. It seeks to do this in a fair and transparent manner with regard to government rules, current legislation, advice from other agencies, and an applicants conduct at previous tenancies and during our pre-offer stages. Each case will be dealt with on its own merit.

### 2. Scope

This policy is relevant to all BCHG staff who are responsible for lettings and/ or sales of our properties.

Related Policy

Lettings Policy

Allocation of Shared Ownership Properties Policy

### 3. The Policy

We will not providing housing too:-

- The applicant/s has demonstrated through use or threat of violence towards officers of the Group, agencies work with The Group or residents of The Group, including verbal abuse, or an intention not to co-operate with The Group.
- a person/persons for whom there is objective evidence of their having acted anti-socially to the extent that formal intervention was or could have been pursued in the two years preceding the application and the household has failed to conduct a tenancy satisfactorily since that time; including former tenants, members of their household or visitors

This includes:-

Acts of arson;

Neighbour nuisance;

Harassment;

The above list is not exhaustive.

- a person/persons or members of a household or visitors to a household against whom formal enforcement action has been taken for breaches of Tenancy Agreements within the 2 years preceding the application and those persons are included on the application, such as:
  - a Notice of Seeking Possession has been served on a current or previous tenancy;
  - a Section 21 Notice (applicable to assured short hold tenancies) had been served for anti-social behaviour but the legal process had not been completed prior to termination;
  - an injunction has been obtained.
- a person/persons who have a debt with The Group or any other landlord that they are not making concerted efforts to clear. For the avoidance of doubt someone who has made an agreement to clear

a debt and has for at least 6 months been making concerted efforts to reduce the debt will be accepted; including tenants or former tenants.

- It becomes apparent through investigation that the current/ former property condition is not kept to a reasonable standard as defined within their tenancy agreement.
- a person/persons whom the Police or Probation Service formally advise should not be allowed access to The Group's properties in order to protect the community or to prevent or reduce crime and disorder in the area.
- there is clear evidence of housing related criminal acts (for example – crimes against the person/property in the neighbourhood) and there is a risk of that behaviour continuing;
- there is a formal recommendation by partner agencies (such as the Police, Probation, Social Services) that a person's application should be restricted;
- Government rules restrict the following groups from being housed (unless they are already a Registered Provider's tenant)
  - Asylum seekers;
  - People without indefinite leave to remain;
  - Someone who is in the UK illegally/unlawfully or who has overstayed his/her leave to stay;
  - A sponsored person who has been in this country for less than 5 years and whose sponsor is still alive.

Or the support needs of the applicant are such that the landlord of the property is unable to provide the level and standard of support required, or where any Care package or Support Plan is unable to provide sufficient support to ensure the tenancy is successfully maintained;

Any applicant under 18 is therefore ineligible, unless accessing housing within our Young Person Scheme.

#### 4. Equality and Diversity

The Group is committed to treating everyone equally and fairly. It believes that everyone is entitled to be treated with dignity, respect and fairness, regardless of their race, colour, ethnic or national origin, nationality, gender, sexual orientation, marital status, disability, age, religion or belief.

#### 5. Appeals

An applicant can ask that any decision concerning their housing application be reviewed by the Head of Property Services. Such request should normally be put in writing.

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Reviewed By	K Smith	Approval By	Director
Consultation	Exec/Managers	Responsible Officer	Head of Property Services
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