

UNDEROCCUPANCY POLICY

ENHANCED DOWNSIZING INCENTIVE SCHEME

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Basildon
Borough Council

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UNDEROCCUPANCY POLICY

Enhanced Downsizing Incentive Scheme

1 Policy Statement

- 1.1** The government's Strategic Housing Policy (Laying the Foundation 2012) and proposed welfare reforms all encourage a far more efficient use of existing housing resources to meet housing need. As part of this wider agenda under-occupation policies can help free up family housing and thereby reduce problems with over-crowding and homelessness.
- 1.2** Basildon Council recognises that there is a chronic under supply of family homes within the Borough. To increase the number of larger properties that become available each year, the Council will utilise a 'Downsizing Incentive Scheme' to support tenants seeking to downsize from family sized council homes (2 bedrooms and above) to one bedroom or studio bedsit homes that better meet their personal needs. In some instances, applicants in 4 bedrooms + accommodation, may be eligible to downsize to a property with 2 bedrooms.

2 Strategic Aims

- 2.1** There is a need to make the most effective use of council housing stock to meet known demand on the Homeseeker register and in particular reduce long term reliance on temporary accommodation for homeless families. This Under Occupation Policy compliments the Basildon Council bedroom standard in accordance with the Allocation Scheme.

3 Objectives

- 3.1** The key objectives of the under-occupancy policy are:
- To release under occupied family sized properties in order to relet them to their optimal occupancy, predominantly into non-family sized accommodation.
 - To encourage and assist tenants under occupying family accommodation to downsize by giving them a financial incentive and support when moving home through this scheme.
 - Applicants in 4 bedrooms + accommodation, may be eligible to downsize to a property with 2 bedrooms subject to meeting the eligibility criteria below.
 - To give tenants a financial incentive and support when moving home through this scheme. The financial incentive is intended to contribute towards the costs incurred as a result of moving.
 - To be sensitive to the needs of the individual tenant or household.
 - To be fair, efficient, effective and accountable.

4 Eligibility

- 4.1** Tenants who apply to transfer under the downsizing incentive scheme will be considered providing the resident:
- Is a tenant of Basildon Council

- Holds a secure tenancy on their current home and have done for minimum of 2 years
- Has kept to the terms of their tenancy agreement
- Have no housing related debt with the Council (this is considered as current/former rent arrears, use and occupation charges, court costs, rechargeable repairs and repayable rent deposits)
- Agree to provide vacant possession of their present home
- Is under occupying a general needs family home with two or more bedrooms which is regarded to be in demand when considered against the Homeseeker Register and willing to downsize to non-family size accommodation (one bed/studio) or
- For applicants wishing to downsize from 4 bedrooms + to a 2-bedroom property whose housing need is for a 2 bedroom in accordance with the table below or
- An applicant wishing to downsize from 4 bedrooms+ whose housing need is for a 1 bedroom, may be allowed to exchange to a 2-bedroom property if it is considered suitable and affordable

It would not be considered affordable if the proposed incoming tenant is in receipt of full housing benefit due to being subject to the spare room subsidy, however any additional income e.g., PIP/DLA will be taken into account and will be subject to an affordability check.

Tenants in receipt of part housing benefit will also be subject to an affordability check.

BEDROOM ENTITLEMENT TABLE

HOUSEHOLD MEMBER	BEDROOM ENTITLEMENT
Any adult couple	1 bedroom
Person aged over 16 years	1 bedroom
Any two children under 16 years – same sex	1 bedroom
Any two children under 10 years – regardless of sex	1 bedroom
Any other child	1 bedroom
Provisions for additional bedroom	
Accepted by the Council as needing an additional bedroom on medical or welfare grounds	1 additional bedroom
A carer who provides permanent 24 our 'live in' care – confirmation is required from social services	1 additional bedroom

- 4.2** If tenants with housing related debt, as defined in the Allocation Scheme (but not in excess of the grant limit) agree with the Council that the incentive payment can be used as payment to clear the debts then tenants may still be approved for the Downsizing Scheme.

4.3 In exceptional circumstances, where the debt is higher than the amount of the grant but the property the tenant currently occupies has been found to be unaffordable or the size property is in demand on the Homeseeker register, approval may be given providing the tenant agrees to adhere to a mutually agreed payment plan with the Council – this will be based on what is considered affordable in line with an affordability assessment

4.4.1 Additionally the Council will not accept applications where the consequence of the move is:

- The homelessness of a member of the household.
- The tenant will be making themselves and their household overcrowded.
- The tenant has arranged a move under the mutual exchange process within the last two years.
- The tenant is required to downsize following a succession.
- The tenant is being 'decanted' due to their current property being part of a redevelopment scheme.
- Are not considered 'a qualifying' applicant on the Homeseeker Register.
- Have previously received a downsizing incentive scheme payment from Basildon Council within the last two years.

4.5 Those who do not meet the eligibility criteria for the incentive scheme but are still under occupying their property may still apply for a transfer in the normal way via the online Homeseeker Register at <https://www.basildonchoice.org.uk/>

5 Incentive Payment

Downsizing from 2 + general needs property into a non-family sized accommodation (one bed or studio bedsit) or 4 bed + into a 2-bed property

Downsizing from Council Stock to alternative Council Stock

- Fixed incentive payment of £1500
- Additional enhanced payment of £300 if moving into Sheltered Accommodation
- Additional enhanced payments of £150 if moving to a studio/bedsit (general needs or Sheltered Housing)
- Additional enhanced payment of £100 if the property has been empty for 3 months at time of offer (*this does not apply if the property has been under void works for that period of time*)
- Dedicated Officer to oversee the move
- Assistance with decorating – undertaken by our Contractors (conditional apply)
- Removals of your belongings undertaken by the Council's appointed removal company (conditions apply)
- Assistance with carpet for your new home (conditional apply)
- Help with the disposal of unwanted furniture (conditions apply and prior agreement is required)

Downsizing from Council Stock to Registered Provider (HA) – nominated by the Council

- Fixed incentive payment of £1500
- Additional enhanced payment of £300 if moving to sheltered accommodation

- Additional enhanced payment of £150 if moving to a studio/bedsit (general needs or sheltered)
- Dedicated officer to oversee the move
- Property decoration pack determined suitable for size property by the Council
- Removals of your belongings undertaken by the Councils appointed removal company (conditions apply)
- Assistance with carpet for your new home (conditions apply)
- Help with the disposal of unwanted furniture (conditions apply and prior agreement is required)

Please note:

1. Two bed sheltered accommodation will be considered as a one bed if there are no applicants on the Homeseeker register that have been assessed with a two-bed housing need
2. Assistance with carpets and a decorating pack are not included in the package if tenants are moving to Poplar House (extra care) as the flats are already decorated and fitted with carpets

6 Applications & Assessment

6.1 Downsizing

Tenants applying to the downsizing scheme must complete and return the downsizing incentive application form (available on Basildon Council's website [Downsizing Incentive Scheme - Basildon Choice](https://www.basildonchoice.org.uk/)) in addition to completing the online Homeseeker application form at <https://www.basildonchoice.org.uk/>

6.2 The applications will be assessed, and notification will be sent to the tenant advising if:

- They qualify to the Homeseeker Register
and
- If they meet the eligibility criteria of the Downsizing Scheme
and
- The size property they are eligible for

6.3 Applicants will be offered an alternative property that is adequate for their housing need and in line with Basildon Borough Council's Allocation Scheme.

6.4 Tenants express an interest in suitable void properties by bidding via Basildon Choice (choice-based lettings), assistance with the bidding line can be made available under the downsizing scheme if required.

7 Offers of Accommodation

7.1 The number of offers of accommodation under the Downsizing Incentive Scheme will be made in line with the Councils allocation scheme which is:

- Applicants in Band A will be entitled to one offer and will have their band moved to Band B for 12 months for a further offer if they refuse their first offer – this includes applicants who are also under the Transfer Plus scheme.
- Applicants in Band B and below will be entitled to two offers. (if already received one offer in Band A, then will only have one offer left in Band B).
- Offers of accommodation will be made in line with the usual letting's procedures.

8 Accepting an Offer of Accommodation

8.1 An accompanied viewing will be offered, and the applicant will be shown around the property and will need to decide whether or not to accept.

8.2 If the applicant accepts the offer, a tenancy agreement will need to be signed with an agreed tenancy start date and arrangements will be made with regards to the incentives i.e. decorating, removals and carpets if applicable. Upon the tenancy starting, the current application for housing will end (i.e. be cancelled).

9 Post Move

9.1 The tenant/s will receive the incentive payment via their bank account on completion of the move and receipt of the keys from the home they are vacating. Payment by cheque is available on request.

9.2 An inspection of the vacated property will be undertaken and any rechargeable works identified, over and above normal wear and tear, will be deducted from the incentive payment. This also includes the cost of clearing excessive items left in the property or garden without prior agreement with the Council.

9.3 If the tenancy is a joint tenancy, then the payment will be split equally between the joint tenants but can be paid into one bank account on receipt of written authority from both tenants.

9.4 An applicant, who has moved home and received an under-occupation incentive payment, will not be expected to increase their household size and subsequently overcrowd the new property.

9.5 The applicant may apply for a transfer and will be assessed in the usual manner under the Council's Allocation Scheme.

10 Budget Limits

10.1 If there are more requests for incentive payments than the funding available, priority will be given to those tenants moving from accommodation that is more urgently required. Priority will be decided by the Tenancy and Resettlement Coordinator or Head of Service.

10.2 The Council reserves the right to reduce the incentive payments in the following order:

1. The amount of any current/former rent arrears, use and occupation charges, court costs, rechargeable repairs and repayable rent deposits owing to the Council at time of transfer
2. The cost of any works that the Council has to undertake to the vacated premises as a result of damage or neglect on the part of the outgoing tenant and/or any other reinstatement works to bring the work back to the Council lettable standard, that are not regarded as fair wear and tear
3. The amount of any Council Tax arrears and housing benefit overpayments outstanding to the council at time of transfer

Any remaining incentive payment will be paid to the tenant.

10.3 Payments will be authorised once the tenant has moved and following an inspection of the vacated property. Applicants must be registered on the downsizing incentive scheme before a move takes place for a payment to be authorised.

11 Spare Room Subsidy – Welfare Reform (assistance with removals)

11.1 If the property a tenant currently occupies has been found to be unaffordable due to the spare room subsidy charge, but the tenant does not meet the criteria for the downsizing incentive scheme due to needing to downsize to alternative social housing family typed accommodation, the Council may give consideration to giving assistance by paying the removal costs in this instance.

11.2 Consideration will only be given to tenants who are:

- A tenant of Basildon Council
- Hold a secure tenancy on their current home
- Are under-occupying by at least one bedroom and downsizing to alternative family accommodation in accordance with the council's bedroom standard in the allocation scheme.
- Their transfer application has been approved and active.
- Have held the tenancy on their current home prior to April 2013.

11.3 Tenants affected by the spare room subsidy who decide to relinquish their Council Tenancy and move to the private sector may also be considered for assistance with removals)

11.4 Tenants, who previously had a good rent account prior to April 2013 but now have rent arrears due to the spare room subsidy, may be eligible for the removal grant providing the arrears are solely due to the spare room subsidy and they are adhering to a payment plan following an assessment by Basildon Council. (The payment plan will be based on what is affordable to repay and may not cover the full weekly shortfall)

11.5 Removals of the tenant's belongings will be undertaken by the Council's appointed removal company (conditions apply)

11.6 If there are more requests for assistance with removals than the funding available, priority will be given to those tenants moving from accommodation that is more urgently required. Priority will be decided by the relevant managers.

12 MUTUAL EXCHANGE

Downsizing through a Mutual Exchange

- 12.1** It is recognised that mutual exchanges provide a cost-effective solution to help tenants move to more suitable accommodation, to move to take up a job and/or be closer to family. By offering incentives as detailed in package three below to under occupying tenants who wish to downsize via a mutual exchange, the Council aims to assist those living in overcrowded situations.
- 12.2** With a view to promoting mutual exchanges the Council works in partnership with Home Swapper, a national web-based scheme, which helps tenants to find another tenant to swap with. This service is free to all Basildon Council Tenants.
- 12.3** Tenants applying to mutual exchange must submit the mutual exchange request in the normal way (details available on the Council's website [Mutual Exchange - Basildon Choice](#)). In addition; an application form for the downsizing incentive scheme should be completed and returned.
- 12.4** An assessment regarding eligibility of the Downsizing Scheme must have been made prior to the mutual exchange request being approved.
- 12.5** Eligibility criteria for mutual exchange incentives for tenants under-occupying.
- Holds a secure tenancy on their current home and have done for a minimum of two years.
 - Currently under-occupying and exchanging to a smaller property suitable for the applicants housing need in accordance with the Councils Allocation Scheme
 - The tenant that the applicant is exchanging with, is a social housing tenant of Basildon Council or a Registered Partner in Basildon and currently overcrowded as defined by the Councils Allocation Scheme
 - The applicant's application to mutual exchange has been approved
 - The under-occupying tenant does not owe any housing related debt with the Council (this is considered as current/former rent arrears, use and occupation charges, court costs, rechargeable repairs and repayable rent deposits), housing benefit overpayment or council tax arrears, to Basildon Council at the time of the mutual exchange approval in order to be eligible for the incentives.
 - Have not previously received any incentives under Basildon Councils downsizing incentive scheme within the last two years.

12.6 MUTUAL EXCHANGE INCENTIVE

- Removals of your belongings undertaken by the Councils appointed removal company (conditions apply)
- Property decoration pack determined suitable for the size property you are exchanging to by the Council
- Assistance with carpet for your new home (up to £200 – conditions apply)

13 Right to Appeal

- 13.1** All applicants who have applied to move under the Downsizing Incentive Scheme will be informed in writing of the decision and will have the right to appeal by using the appeals procedure. Full details how to appeal will be provided in the decision letter.
- 13.2** We reserve the right to refuse payments under all sections of the Scheme because of breaches of conditions of tenancy and any other breaches as appropriate.
- 13.3** The incentives under this enhanced scheme are only available from the commencement of this policy and whilst there are sufficient funds available.
- 13.4** This enhanced scheme replaces the previous underoccupancy scheme dated October 2015.

14 Monitoring

- 14.1** The Scheme will be reviewed periodically or as and when required, and any alteration to the level of assistance paid will be made by the Assistant Director of Housing or Head of Housing in consultation with the Deputy Leader of the Council.

15 Decisions on Under Occupancy Policy

- 15.1** The Council gives delegated authority to the Executive Director for Housing to make decisions on this policy. In turn, the Executive Director for Housing delegates such decisions to the Assistant Director of Housing / Head of Housing / Tenancy and Resettlement Team Co Ordinator.

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