

Local Authority Housing Fund (LAHF) Property Nomination Procedure

Introduction

As part of the Department for Levelling Up, Housing and Communities (DLUHC) Local Authority Housing Fund (LAHF) Programme the Council will provide 22 homes for families with housing needs who have arrived in the UK via the following Ukrainian and Afghan resettlement and relocation schemes:

1. Afghan Citizen Resettlement Scheme (including British Nationals under this scheme) (ACRS)
2. Afghan Relocations and Assistance Policy (ARAP)
3. Ukraine Family Scheme (UFS)
4. Homes For Ukraine scheme (H4U)
5. Ukraine Extension Scheme (UES)

There are 2 distinct elements to the LAHF:

- The **'main element'** will provide 20 properties for Ukrainian households (and can also be accessed by eligible Afghan households facing homelessness).
- The **'bridging element'** which will provide 2 four+ bed properties for Afghan households only that were in bridging accommodation.

Tenancy and Rental Terms

All properties will be let by ADL, the B&NES owned property development company collaborating with B&NES in delivering and providing the resettlement and relocation units for the LAHF programme.

These will be Assured Shorthold Tenancies (ASTs) for a minimum duration of 6 months, or in the event of legislative changes, as agreed with B&NES Housing (Housing Team). The rent is capped to the appropriate Local Housing Allowance (LHA) rate.

ADL reserves the right to end the AST after 6 months by giving adequate notice.

Main Element Nominations (Ukrainian and Afghan households)

Eligibility

The Council's Housing and H4U Teams will have 100% nomination rights to the main element properties. To be eligible applicants must meet the following criteria:

1. Arrived in UK via one of the above-mentioned schemes.
2. Must have been living in B&NES for the last 6 out of 12 months or 3 out of the last 5 years.
3. Be at least 18 years of age.

4. Not be intentionally homeless i.e. a person becomes homeless intentionally if they deliberately do or fail to do anything in consequence of which they cease to occupy accommodation which is available for their occupation and which it would have been reasonable for them to continue to occupy [Housing Act 1996, Section 191 – Legislation.gov.uk](#)
5. The household size must be suitable for bedroom size of the property and not result in the property being over or under occupied. It is based on how many bedrooms the household can claim benefits for and the local housing allowance guidance for households who privately rent [Guidance for private rental properties](#)
6. The tenancy must be affordable for the household i.e. the monthly income (after all **essential** expenditure) exceeds the thresholds shown below (agreed with Welfare Support and St Johns)

£250 for a single person/couple

£275 for a household with one or two children

£300 for a household with three or more children
7. If they are a family, or a couple, must have a gross income of below £45,000 a year or single people (without dependent children) a gross income of below £32,000. This includes all income, apart from Child Benefit and child maintenance payments. Those with incomes above this are considered able to compete on the open market for housing

Priority

The Council's Housing and H4U Teams will consider all households eligible for the property and take into account the following factors when deciding which one is nominated for it:

- Priority will be given to households owed a prevention duty i.e. threatened with homelessness (TWH) within 56 days, a relief duty i.e. already homeless or a main duty
- Where the need for temporary accommodation can be avoided. This has a negative impact on the family and also incurs a cost to the Council of providing emergency accommodation
- Households not able to access private rented accommodation on the open market (e.g. Family visa scheme households who are not eligible for the BANES H4U housing subsidy)
- Any additional relevant information at the time of the application

Advertising & Application

The properties may be advertised through the H4U Newsletter, emails to H4U guests and hosts, some local interest groups and social media. Potential applicants for main element properties will contact by E-mail to express an interest.

Bridging Element Nominations (Afghan households only)

There are a number of options for the nomination process for bridging element properties (shown in no particular order) including:

- Home Office matching;
- South West Migration Partnership – sharing across SW Authorities;
- Direct liaison with neighbouring Local Authorities who have families in bridging hotels
- Bath and North East Somerset Council's Housing or the H4U Teams

Potential matches for bridging element properties will be agreed with the Refugee Resettlement Manager at B&NES Council in consultation with the Housing Team.

If more than one household is nominated for a property, the Main element factors for deciding priority (as stated above) will be applied in the same way.

Reviews & Appeals

Households can request a review of a decision within 14 days of receiving the decision of not being nominated. The review will be completed within 14 days by a manager not involved in the original decision.

If the review is successful, the next suitable LAHF property may be offered to the household or alternatively support to secure Private Rented Accommodation.

Disability & Adaptations

In certain situations, LAHF properties may need to be adapted before a disabled applicant, or a member of their household, can move into the property. In these situations, while confirming a household's initial eligibility, Housing Services will:

- investigate what adaptations would be required for an applicant to access the property
- investigate the feasibility of said adaptations – this will include considering any building warranties, rights of way etc.

These cases will be treated on a case-by-case basis. Housing Services will however not permit any adaptations to proceed until a tenancy agreement has been signed between the parties.

Discretionary Decisions

All applications will be considered on their own merit. In exceptional circumstances, and where there is a good reason, discretion from this policy can be applied. It would need to be agreed by the Housing Options & Homeless Manager in consultation with the Inclusive Communities Manager.

Refusals

If a suitable property is refused under a prevention or relief duty, then the duty can be discharged. The main housing duty will not apply if the offer was made under a relief duty as a final offer or a Part 6 offer. Should an applicant who was owed a prevention duty subsequently become homeless then a relief duty may apply.

If a suitable property is offered whilst under a main housing duty and declined by the applicant, then the homeless duty can be discharged.

An applicant should consider their decision to refuse a property because it cannot later be revoked. When a duty is discharged, temporary accommodation may be withdrawn, and another offer of accommodation may not be made, therefore this decision should be given careful consideration.

Equalities

We will comply with the Equalities Act 2010 and ensure that every application is assessed equitably and in a lawful and non-discriminatory manner.

We will:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster good relations between people who share a protected characteristic and those who don't.

We will regular monitoring applications and nominations, and the evaluation of this will feed into service development.

Date: 1st November 2023

Appendix 1: Main Element Process Chart

Stage	Step
Property advertised	<ol style="list-style-type: none"> 1. Advertise property. 2. Establish which households are eligible and being considered
Pre-Housing Interview Document Collection	<ol style="list-style-type: none"> 3. Contact eligible applicants and confirm that they have been shortlisted for a B&NES LAHF property. Where a 'suggested match' is envisioned, confirm the costs the household would be required to pay at the available property/s and any anticipated price rises. Request copies of the applying household's: bank statements, income, benefit entitlement letters/screenshots, existing rental agreements etc. Homes for Ukraine should confirm who would be listed as tenants (and the implications of this) and request the households' last three months of bank statements (including for savings accounts). 4. Prior to viewing a property, Housing Team will require applicants to sign and return a confirmation slip to say they want to progress their application.
Housing Interview	<ol style="list-style-type: none"> 5. H4U to interview prospective tenants to determine their support needs and any risks. Applicants must provide identification and can ask further questions about the available properties.
Viewing	<ol style="list-style-type: none"> 6. Allow the prospective tenant(s) to visit their allocated property.
Property Offer	<ol style="list-style-type: none"> 7. Housing and H4U Teams to allocate property to applicant deemed to be priority.
Final Checks	<ol style="list-style-type: none"> 8. Any final documentation that is required to confirm an applicant's eligibility should be requested at this stage (this could include ID for household members, to prevent tenancy fraud).
Funding	<ol style="list-style-type: none"> 9. Arrange deposit (as a loan if required) by the applicant and Rent in Advance (as a gift via H4U funding) via Great Western Credit Union (GWCU).
Sign Up	<ol style="list-style-type: none"> 10. Agree a move-in date and complete the sign up.