



Comhairle Cathrach Phortlairge Waterford City Council

Allocation Scheme in accordance with Section 22 Housing Miscellaneous Provisions Act 2009 Social Housing Allocation Regulations 2011

The Allocation Scheme sets out the order of priority for allocation of Social Housing support of dwellings or categories of dwellings, to households or particular classes of households whose need for accommodation has been approved by Waterford City Council. i.e.

Persons assessed as being qualified for social housing support in accordance with Section 20 of the Housing (Miscellaneous Provisions) Act, 2009 (and associated regulations);

Persons transferring from a dwelling, owned by a Local Authority or approved housing body, or from a dwelling provided under the Social Housing Leasing Initiative or the Rental Accommodation Scheme **and**, including transfers to new dwellings being purchased under the Incremental Purchase Scheme.

Allocation Scheme General Conditions

1. This scheme applies to the full range of Housing supports offered by Waterford City Council, including Social Housing and Housing provided through the Capital Assistance, Capital Loan and Subsidy, Rental Accommodation and Leasing Schemes. i.e. City Council owned houses, leased houses and houses owned by approved housing bodies.
2. Waterford City Council may, set aside dwellings for persons with special needs as follows; people with disabilities, older people, homeless, travellers or other special needs.
3. City Council may in the future if required, also designate houses for allocation under choice based letting whereby qualified households or classes of eligible households may apply for tenancies in such designated houses in accordance with the above regulations. Houses may also be designated for purchase under incremental purchase scheme including set aside of such units for tenants of leased houses.

4. All allocations including new allocations, transfers and successions to tenancies shall be considered only on condition that the household complies in all respects with:
 - I. The Council's Anti-Social Behaviour Policy and Strategy
 - II. All aspects of any previous tenancy agreement in any Housing authority.
 - III. And that the allocation is in the interest of good estate management
5. A household's present accommodation may be disregarded if the household is deliberately taking occupation of accommodation primarily to improve their allocation priority.
6. Persons in unauthorised occupancy of dwellings and who do not leave voluntarily shall not be considered for allocation of social housing supports. Those who leave voluntarily on request may be considered after a period of twelve months following the date of voluntary surrender of dwelling to Waterford City Council. This twelve month period is discounted from time on list period.
7. Waterford City Council reserves the right to refuse consideration of an allocation where false or misleading information is supplied.
8. In the case of a parent living apart from his/her children to whom he/she has shared custody social housing support may be allocated for such custody based on the housing need. Where custody of children is shared, evidence of such custody will be required as follows:
 - (a) Copy of the legal agreement or court order setting out the custody arrangements.
 - (b) If no such agreement / order exists both the applicant and the other parent/guardian of the child /children shall provide a statutory declaration to the effect that an access agreement is in place and submit details thereof.
9. Attendance at and successful completion of pre-tenancy courses (by both parties in the case of joint applicants), is a requirement prior to any offer of accommodation.
10. In the event of two refusals of reasonable allocation offers by one or more than one housing authority, in any continuous period of one year, the household shall not for the period of one year commencing on the date of the second refusal, be considered by any housing authority for the allocation of a dwelling, and this time period will not be added on to the time on list period. Offers of accommodation will only be located in the stated areas of preference, and such that will meet the Household's need. Such offers will be considered reasonable.

Waterford City Council may from time to time review this allocation scheme, and revise it by way of amendments to the scheme or make a new scheme, subject to the approval of the Council.

Allocation Scheme Order of Priority

1) Allocations

The following categories are considered to be priority cases and will be considered for housing support on the basis of need without reference to points.

(a) Emergencies

Persons being displaced from:

- I. Dangerous buildings under the Local Government (Sanitary Services) Act, 1964,
- II. or potentially dangerous buildings under the Fire Services Act 1981, as amended
- III. or Unfit dwellings under section 66 Housing Act 1966,
- IV. Or persons rendered homeless by fire, flood, storm damage etc. or by operations of the City Council from dwellings urgently required for redevelopment.

(b) Homeless households as defined by Section 2 Housing Act 1988

Accommodation made available in this category may include tenancy sustainment supports.

(c) Older persons (aged 65 yrs or more)

Accommodation under this category will be those provided specifically for older persons or that are specifically suited to the older person's need.

(d) People with Disabilities

Including physical, sensory, intellectual/learning or mental health disability. Priority subject to Consultant/Medical Advisor recommendation.

(e) Traveller Households

Including households who wish to be housed in standard social housing supports and in traveller specific accommodation in accordance with the City Council's Traveller Accommodation programme

General applications

Applications which do not fall in to any of the above special need categories will be considered in the order of the number of points awarded in accordance with Schedule 1. In the event of either equality of points or no points accruing the length of time on the list will determine the priority.

2) Transfers

Tenants with not less than two years continuous tenancy in their current accommodation may be considered for a transfer to any of the housing supports available, only under the following priority categories.

First priority will be given to households where there is serious overcrowding and/or on medical grounds where the allocation of alternative social housing support would materially improve the person's medical condition or would materially improve living conditions for that person or persons.

Other priorities

- a) Transfers which in the opinion of Waterford City Council will create vacancies required by City Council for re-letting to meet special need category households.
- b) Households including older person households wishing to surrender family type accommodation to move to smaller accommodation.
- c) Tenants of Leased and Rented houses under the Leasing and Rental Accommodation Schemes seeking a transfer to avail of the incremental purchase scheme or City Council or approved body owned housing.
- d) Households in receipt of social housing support in a property that is not owned by the Council and the house is no longer available to them through no fault/act of their own; i.e. rental accommodation availability arrangements, long term leasing etc. and where they continue to have a housing need.
- e) Applicants seeking to return to areas from which they were unwillingly rehoused following redevelopment works and who received a written guarantee of priority and who continue to have a housing need.

Applications not falling in to any of the above categories will have a low priority and will only be considered where there are verifiable exceptional circumstances which may warrant a transfer.

Transfers between tenants of Waterford City Council and tenants of another Housing Authority may be permitted in exceptional circumstances, provided all the conditions as agreed between the two Authorities and the conditions of this scheme for such transfers are fully met.

All Transfer applications are subject to full compliance with the City Council's Anti Social behaviour strategy and full compliance with any previous Tenancy agreement in any Housing Authority and in the interest of good estate management.

3) Succession to Tenancies

- 1) In the event of the death of one tenant where there is a joint tenancy, the tenancy will ordinarily be transferred to the surviving tenant or the spouse, provided that he/ she still has a housing need, and provided that he/she has been continuously resident in the dwelling for a continuous period of at least two years immediately prior to the death of the tenant and has been declared for and assessed for rent purposes for that entire period. Periods of residence not declared for rent assessment purposes are not applicable.
- 2) In the event of death of both spouses, tenancy will ordinarily be transferred to the member of the family longest residing provided that:
 - a. he /she has a housing need and has continued to reside in the house throughout his/her lifetime and has been continually declared for and assessed for rent purposes; or
 - b. he /she has a housing need and is living in the house and has been declared/assessed for rent purposes , for a continuous period of at least two years immediately prior to the death of the tenant.
- 3) Where there are two or more surviving members of the family who meet the criteria at 2 a) or b) above, a joint tenancy may be granted by Waterford City Council or if agreement cannot be reached regarding the family member to succeed, the House automatically reverts to Council.
- 4) A person other than a spouse, partner, son or daughter who having had permission to reside if required, and has resided in the dwelling for 5 years immediately prior to the death or departure of the tenant, other than departure by way of purchase or acquisition of own accommodation, and has been declared and assessed for rent purposes, and has a continuing housing need, may apply to succeed to the tenancy.
- 5) All succession to Tenancy applications are subject to (1) housing need being verified, (2) full compliance with the City Council's Anti Social Behaviour Strategy, (3) full compliance with any previous tenancy agreement in any housing authority, and shall be in the interest of good estate management.
- 6) Succession to certain tenancies may not be allowed in respect of houses which have been adapted for use by people with disabilities, or for houses designated for older persons if the applicant for succession does not fall in to one of those categories.

Schedule 1

Points Schedule – Criteria for non special need categories

1. Exceptional medical grounds other than special need category (1(d) people with disabilities), where allocation would materially improve the persons medical condition	20 Pts
2. Involuntary sharing of accommodation with another family	10 Pts
3. Overcrowding	
Minimum Standard: Bedroom Accommodation	
Adult / adult plus partner	1 Bed
▪ 2 Adults or single parent, 1 or 2 children under 10 years	2 bed
▪ 2 Adults or single parent, 3 – 5 children under 10 years bedrooms	3
▪ 2 Adults or single parent, 6 children under 10 years bedrooms	4
▪ For each two persons of the same sex over 10 years bedroom	1
▪ Subject to a maximum of 7 persons bedrooms	3
▪ Over 7 persons bedrooms	4
For each person per bedroom short of this standard –:	10 Pts

Allocation Scheme adopted by Council 13th June 2011. Ref 1838