

**LAOIS COUNTY COUNCIL
COMHAIRLE CHONTAE LAOISE**



HOUSING ALLOCATION SCHEME

30th MAY 2011

Comhairle Chontae Laoise

Laois County Council

Laois County Council Housing Allocation Scheme

Housing Acts 1966 - 2009

The purpose of the Housing Allocation Scheme is to provide a means for determining the order of priority afforded in the letting of local authority accommodation (including Rental Accommodation Scheme properties, Long Term Leasing properties, standard local authority housing and traveller accommodation) to persons whose needs have been established in the Council's Assessment of Housing Needs. The making of this scheme is a reserved function (s 22(10) of Housing (Miscellaneous Provisions) Act 2009)

The Scheme may be inspected by any person at Áras an Chontae, James Fintan Lalor Avenue, Portlaoise during normal office hours.

Conditions for Application

1. A housing application form must be completed in full. Incomplete application forms will be returned to the applicant.
2. The Council reserves the right to refuse consideration of any application where the applicant has given false or misleading information.
3. On receipt of fully completed application form, the application will be assessed by the Housing Department of Laois County Council.
4. All applications on medical grounds must be certified by a medical consultant.
5. Only medical conditions relevant to the applicant's housing needs will be taken into consideration.
6. The Council reserves the right to request and obtain information relevant to any application from An Garda Síochána, Criminal Assets Bureau, Health Services Executive, the Dept. for Social Protection and an approved housing body.
7. In the interests of Good Estate Management the Council reserves the right to suspend an application if the applicant(s) have a history of anti-social behaviour.
8. An application on compassionate grounds will only be considered if independently verified e.g. An Garda Síochána or Social Services. It remains at the Council's discretion to take any such report into consideration.
9. Priorities for the allocation of local authority accommodation shall be determined in accordance with the Points System which was adopted as part of the Laois County Council Housing Allocation Scheme. (Appendix 1)
10. In a situation where an equality of points exists, priority will be determined by lot.
11. Allocation of local authority accommodation is an Executive Function of the County Manager.
12. Single applicants without children must have reached the age of 18 years on or before the date of application.
13. An applicant must have reached the age of 18 years on or before the date of any allocation of property.
14. All offers of accommodation to applicants are provisional until the Tenancy Agreements are signed by the appropriate parties. In the interim should any information relevant to an application become known which was not previously disclosed the offer of accommodation may be rescinded.

15. Two refusals of reasonable offers of social housing over a twelve month period will result in a household being deemed to have forfeited their place on the waiting list for a period of twelve months. This will mean the household will not be offered social housing support for the suspension period and time will not be added on during this period 'time on list' or any other priority determining purposes.
16. Where an applicant has surrendered any form of local authority accommodation they must wait one year before they can re-apply.
17. Where an applicant has abandoned, has been evicted from or has vacated a property having caused malicious damage, they must wait five years before they can re-apply.
18. An applicant must have all rents and other charges due and payable in respect of any local authority accommodation fully discharged or an arrangement in place to re-pay the outstanding charges before an application will be considered.
19. Nothing in this Scheme shall operate to prevent the Council from providing accommodation where the need arises as a result of an emergency.

Transfers

A tenant of the Council may, with the consent of the Council, exchange the tenancy of his/her existing dwelling for the tenancy of another Council dwelling under the following conditions:

1. All rents and other charges due and payable in respect of their existing accommodation have been fully discharged.
2. The tenants have complied with all the conditions of the Letting Agreement.
3. In the opinion of the Council, the exchange must result in either tenant being appropriately accommodated
4. The tenants must not have engaged in any anti-social behaviour in the previous three years.
5. The tenants must have resided in their current dwelling for at least five years.

The Council may, in exceptional circumstances, waive compliance with any or all of the above conditions. The Council reserves the right to refuse any transfer request due to financial constraints.

Prioritisation of Transfer Applications

1. Single applications for transfers will be prioritised in accordance with Laois County Council's Scheme of Letting Priorities.
2. The date of application for a transfer will only be set after all conditions for a transfer have been met in the opinion of the Council.
3. Transfers will only be granted in the following circumstances:
 - Overcrowding.
 - Medical.
 - Applicants who wish to down size.

An application for a transfer on medical or social grounds will only be considered if independently verified e.g. An Garda Siochana or Social Services. It remains at the Council's discretion to take any such report into consideration.

Nothing shall prevent the Council from transferring tenants to another dwelling in the following situations:

1. Where there is a risk to the health and safety of the tenants
2. For reasons of redevelopment.

Succession of Tenancies

On the death of a tenant, the tenancy may be transferred to the tenant's partner/spouse or to a member of the Tenants immediate family normally resident in the dwelling at the date of the tenant's death. The Council reserves the right to offer appropriate alternative accommodation to a member of the family normally resident in the property at the date of the tenant's death.

In determining whether or not the tenant's immediate family was normally resident in the dwelling on the date of the tenant's death, details included on previous Rent Assessments will be taken into account.

Surrender of Tenancy

Tenancies must be surrendered in writing by each tenant. The keys of the property must only be surrendered to an employee of Laois County Council.

Dependants

In order to be taken into consideration, dependants must be permanently residing with the applicant/s and must continue to reside permanently with the applicant/s if local authority accommodation is offered.

Illegal Occupation

Applicants who take up illegal occupation of a Local Authority dwelling will not be considered for the tenancy of a dwelling unless such dwelling is willingly surrendered to the Council in the same condition it was prior to being illegally occupied.

A person who takes up illegal occupation of a Local Authority dwelling who has willingly surrendered the dwelling to the Council will only be reconsidered for inclusion on the Housing Waiting List at the discretion of the Council.

Termination of Application

Laois County Council reserves the right to terminate an application in the following circumstances:

- a) Failure to notify a change of address.
- b) Unavailability of applicant for assessment on more than two occasions.
- c) Failure to provide information necessary to enable an appropriate assessment of the applicant's situation.
- d) Provision of false and misleading information.

Any individual who has had their application terminated will not be considered for social housing for a period of twelve months.

Specified Categories of Need

The Council may from time to time, determine as they see fit, to set aside for persons of such category or categories as the Council may decide a particular number or a proportion of the dwellings becoming available for letting in new developments only. Where such a number or proportion is set aside, priority should be afforded to the specified categories in the letting of those dwellings. The specified categories are as follows:

1. Members of the Travelling Community.
2. Elderly (over 65 years).
3. Disabled.

Downgrading of Accommodation

The Council in assessing an application for accommodation may reduce the priority of the applicant/s where the Council has reason to believe that he/she has deliberately or without good and sufficient reason, done or failed to do anything (other than an action or omission in good faith) in consequence of which the accommodation he/she is so occupying is less suitable for his/her adequate housing than other accommodation which it would have been or it would be reasonable for him/her to occupy.

Appeals

Every applicant has the right to appeal any decision made under this allocation scheme to the appropriate Director of Services.

APPENDIX 1

Laois County Council

Scheme of Letting Priorities

Points System

Priorities for the allocation of Local Authority Accommodation shall be determined in accordance with the following points system:

| | | Maximum Points Allowed | Points Awarded |
|-----------|--|------------------------|----------------|
| 1. | Unfit | | |
| | (a) Structurally Unsound | 24 | |
| | (b) Dampness | 4 | |
| | (c) Electrical Work | 4 | |
| | (d) Inadequate Cooking Area | 4 | |
| | (e) Lack Of Heating | 4 | |
| | (f) Lack of Ventilation | 4 | |
| | (g) No water inside | 4 | |
| | (h) No toilet facilities inside | 4 | |
| | (i) No water inside or outside | 8 | |
| | (j) No toilet facilities inside or outside | 8 | |
| 2. | Overcrowding | | |
| | (a) Marginal (cubic capacity only) | 8 | |
| | (b) Bad (involuntary sharing of opposite sex siblings) | 10 | |
| | (c) Gross overcrowding | 16 | |
| 3. | Payment for existing accommodation | | |
| | (a) Non-subsidised Rent | 3 | |
| 4. | Medical/Disabled | | |
| | (a) Moderate | 4 | |
| | (b) Serious | 8 | |
| | (c) Very Serious | 12 | |
| | N.B. Only medical conditions relevant to housing needs will be taken into consideration. | | |
| 5. | Length of Time on Waiting List | | |
| | (a) 1 Year | 2 | |
| | (b) 2 Years | 4 | |
| | (c) 3 Years | 7 | |
| | (d) 4 Years | 11 | |
| | (e) 5 Years | 14 | |
| | (f) For each year after fifth year | 1 Extra | |
| 6. | No. of dependants (allow per dependant) | 2 | |
| 7. | Compassionate Grounds | | 10 |
| | Reason: | | |

| | | | |
|-----------|--|--|------------|
| 8. | Discounted Points (e.g. unreasonable refusal of Council housing, unsatisfactory case history, size of dwelling unsuitable etc.) | | -30 |
| | Reason: | | |