

HOUSING CORPORATION REGULATORY CIRCULAR



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*Note: 'housing association' is used as a generic term for registered social landlords.
'Corporation' means Housing Corporation.*

TITLE: Local authority nominations

SUMMARY: Sets out the Corporation's requirements of housing associations in respect of nominations.

THIS CIRCULAR IS FOR THE ATTENTION OF:

All registered social landlords
Local authorities
Registered social landlords' solicitors

1 Legislation

Housing Act 1996, particularly Sections 170 and 213; and as amended by the Homelessness Act 2002.

2 Regulation

Regulatory Code, paragraph 3.6 and 3.6.1; guidance, paragraphs 3.6.c and 3.6.d.

3 Definitions

True void: empty homes that are available to let, excluding a reasonable proportion of housing set aside to satisfy internal transfers, decants, mobility and move-on agreements.



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Nominee: person or household nominated by the local authority for the purpose of an offer of housing.

Statutory lettings: A Corporation definition for lettings to persons or households (whether or not they are nominees) that meet the statutory criteria for homelessness or priority need.

4 Corporation Expectations

4.1 The Housing Corporation's minimum expectations remain unchanged in respect of nominations:

- ♣ A housing association must reach agreement with their local housing authority, where so requested and insofar as is reasonable, on the proportion of true voids to be offered to house nominees; the proportion should be reasonable in relation to the authority's assessment of local housing need.
- ♣ In these circumstances an association must sign an effective nominations agreement with the local authority, setting out in detail how the nominations process will operate and in what circumstances nominations will be refused.
- ♣ In areas where evidence of local housing need is reflected in local planning criteria for affordable housing provision, agreements should provide for 50% or more of true voids for nominations (agreed percentages may be considerably higher in areas of housing stress).

4.2 In order to preserve an association's independence, the agreement must:

- ♣ reflect the association's objectives both as set out in their governing instrument and as agreed by the governing body;
- ♣ be approved by the governing body;
- ♣ be subject to regular and timely review;
- ♣ run for such a term as will enable the parties to exit from it should circumstances or requirements change.

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4.3 For the avoidance of doubt, housing associations may enter into arrangements with their local housing authority whereby:

- ♣ Housing is allocated to people from a common housing register;
- ♣ Lettings arise from a choice-based lettings scheme;

and, in the case of policy convergence adopted by an association's board, whereby:

- ♣ Allocations are covered by a common allocations policy;
- ♣ Up to 100% of true voids are offered to nominations for defined properties.

4.4 All lettings by associations owning or managing 250 or more properties must be recorded in CORE (COntinuous REcording of lettings); for smaller associations, participation in CORE is encouraged but voluntary.

- ♣ For recording lettings made from a common housing register or a common allocations policy, reference should be made to the CORE Instruction Manual.
- ♣ Stock transfer associations managing the local authority's housing function under contract should, in the absence of a nominations agreement, record statutory lettings as nominations in CORE.
- ♣ Statutory lettings arising from a choice-based lettings scheme should be recorded as nominations in CORE.

4 Assessing Compliance

Compliance will be assessed by the Corporation's regulation teams, taking account of any inspection assessment.

5 Enquiries about this circular should be directed to:

The regulation team in the appropriate Corporation field office.