

Policy For Suspension And Limited Application

Some applicants may be suspended from registering on the Wirralhomes database or their application may be limited.

SUSPENSION

In certain circumstances, an applicant who has a history of antisocial behaviour and / or breaches of tenancy may be suspended from registering on the Wirralhomes database, which subsequently will suspend their access to accommodation owned by the Registered Social Landlords (RSLs) who are partners within the Wirralhomes Scheme.

This suspension policy will only be applied in serious cases when it is preferable to restrict an applicant's access to accommodation.

The decision to suspend an applicant from registering on the Wirralhomes database is taken by the Wirralhomes Team and must be based on the individual circumstances of an applicant; for instance blanket suspension of categories of applicants, such as those who owe former tenancy arrears is not permitted.

Only the Council and RSL Partners in the Wirralhomes Scheme may request that the Wirralhomes Steering Group consider use of the Suspension Policy in relation to particular households.

In making its decision to apply the Suspension Policy, the Wirralhomes Team will take account of the following issues:

- Anti-social behaviour (which must be serious enough to make the applicant unsuitable to be a tenant, such as neighbour nuisance);
- Immoral or illegal activities (which may not necessarily have been committed whilst being a tenant, such as drug dealing);
- Assault or threatening behaviour towards staff of the Council or any RSL or towards persons in the neighbourhood (which may not necessarily have been committed whilst being a tenant);
- Damage to property owned by the Council or any RSL (which may not necessarily have been committed whilst being a tenant);
- Rent arrears from a social housing tenancy or a private rented tenancy (where the arrears are of a significantly high amount or where insufficient repayments have been made to reduce the arrears outstanding to a more acceptable level);
- Discriminatory behaviour towards staff of the Council or any RSL or towards any person in the neighbourhood (which may be on the basis of issues, such as race, ethnicity, nationality religion, sexuality, disability, age, gender or appearance).

The Wirralhomes Team may suspend an applicant for registration on the Wirralhomes database for an initial period of 2 years based on the individual circumstances of the applicant.

The Wirralhomes Team will inform the suspended applicants in writing, stating the reasons why they have been suspended, the length of time for which the suspension applies and the process for asking for a review of the suspension decision.

Prior to the expiry of the period of Suspension, the Wirralhomes Team will decide whether or not a further period of Suspension should apply and the applicant will be advised of the review decision accordingly.

If an applicant wishes to appeal over a decision of the Wirralhomes Team in relation to applying the Suspension Policy this will be undertaken by the Rehousing Services Manager or Manager (Wirralhomes Team). If the applicant is dissatisfied with the outcome, the review will be heard by the Wirralhomes Steering Group and if the applicant is still dissatisfied with the outcome, the review may be heard by the Housing Access Panel.

OTHER LIMITS TO THE APPLICATION

In addition, applicants who are have been found responsible for less serious anti-social behaviour or breaches of tenancy may be entitled to register on the Wirralhomes Database but their application may be limited. The circumstances where this would apply are:

- Applicants with rent arrears from a current or former social landlord;
- Applicants who have caused nuisance in a former property by consequence of their anti-social behaviour, immoral or illegal activities. This behaviour will have caused distress or harm to other residents but may not necessarily have entitled the landlord to an order of possession;
- Applicants who have caused damage to a social landlord property where there is an outstanding rechargeable debt;
- Applicants who have abandoned a social landlord tenancy.

Their application will be limited as follows;

Withholding Urgent Need status

Applicants who fit the criteria for the award of an Urgent Need status will be allowed to register onto the database but they will not normally be awarded an Urgent Need Status except by the agreement of the Rehousing Services Manager or Manager (Wirralhomes Team). However, they will still be entitled to accrue priority based on their date of registration.

Restriction of registration date

Applicants who do not fit the criteria for the award of an Urgent Need status will be allowed to register on the Wirralhomes database but they will not receive the benefit of their date of registration when the expressions of interest for a property is short listed. These applicants will be positioned at the end of the shortlist.

The Wirralhomes Team will decide if it is appropriate to limit an application or suspend an applicant's Urgent Need Status and in making this decision they will give regard to the overall level of housing need of the applicant and balance this against the seriousness of the behaviour or tenancy breach.

A decision to limit an application will be based on an individual's circumstances, however if the Wirralhomes Team suspend Urgent Need Status, the applicant will be informed in writing as to the reasons of the Suspension and advised accordingly of the process for appeal.

If an applicant appeals against a decision to limit an application, this will be undertaken by the Rehousing Services Manager or Manager (Wirralhomes Team) and the applicant will be informed of the decision in writing of the decision. If the applicant is dissatisfied with the outcome, the review will be heard by the Wirralhomes Steering Group and if the applicant is still dissatisfied the matter may be referred to the Housing Access Panel.

RSLs operating in the Wirralhomes Partnership may also wish to withhold an offer of accommodation based upon their own local policies or for management reasons. Should this be the case the applicant will have the right to request a review of this decision by invoking the RSL's respective complaints procedure.

All requests for reviews and appeals against decisions taken must be submitted in writing to Wirralhomes within 21 days from the date of notification.