



# **Midlothian Council Housing Allocation Policy**

**Updated: June 2024**

The Housing Allocation Policy can be made available in a variety of formats, including large print, translated into another language. Reasonable adjustments will also be made to assist individuals who have a disability.

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## 1. Defined terms

**Applicant** – Person submitting a housing application form (“Application”)

**Joint applicant(s)** – Two or more parties submitting a housing application form.

**Common Housing Register** – Midlothian Council and Melville Housing Association hold a joint waiting list for housing. This means you do not have to make separate applications to the council and Melville Housing Association.

**RSL** – A registered Social Landlord is a housing association or housing cooperative, registered with the Scottish Housing Regulator.

**Mutual Exchange** – The term mutual exchange describes the ability of two (or more) tenants in the public housing sector to move house by swapping their homes, with the agreement of all their landlords.

**House Exchange** – An online service which allows tenants interesting in a mutual exchange to advertise their property and find another household who may have a property they wish to swap with.

**CHS** – Community Health Specialist, aims to assist applicant who have a Health or Housing need to move to a property better suited to their needs or where possible ensure that their existing property meets their needs by the provision of adaptations or support. An assessment of the applicants needs will be completed by the Community Health Specialist to determine the award of any medical points to the application.

## 2. Aims and principles.

Midlothian Council is committed to the principles of good governance and aims to develop fair and consistent policies, procedures and practices.

Midlothian Council allocates housing in accordance with all relevant legislation, including but not limited to:

- The Housing (Scotland) Act 1987
- The Housing (Scotland) Act 2001
- The Homelessness etc. (Scotland) Act 2003
- The Housing (Scotland) Act 2014
- Section 155 of the Leasehold Reform, Housing and Urban Development Act 1993 and the 2001 Act.

In line with Midlothian Council's commitment to equality and diversity and in accordance with Section 39 of the Housing (Scotland) Act 2010, Midlothian Council observes the requirements of current legislation relating to equalities.

Midlothian Council allocates housing in accordance with the Housing (Scotland) Act 2001, and the Housing (Scotland) Act 2014. The Housing Allocation Policy will apply to everyone who is eligible to apply to Midlothian Council for housing, the overall aims of the policy include:

- Ensuring all applicants are treated fairly and consistently.
- Ensuring Midlothian Council complies with the law and operates with good practice.

When allocating housing, Midlothian Council will give preference to applicants considered being in greatest housing need. In particular:

- People/households who are homeless or threatened with homelessness (as defined by the Housing (Scotland) Act 1987), to whom Midlothian Council has a duty to make an offer of permanent housing.
- People occupying housing which does not meet the tolerable standard.
- People who are subject to overcrowding.
- People who are under occupying social rented housing
- People living in unsatisfactory conditions including:

On assessing applications for housing, applicants will be placed onto one of two groups depending on their circumstances and need.

The groups are General Needs and Homelessness, [section 6](#) provides more on each of the groups.

## 3. Applying for housing

### 3.1. Application forms

Midlothian Council aims to ensure the application process is straightforward and accessible as possible, this is achieved by:

- Operating a Common Housing Register with Melville Housing Association so applicants are only required to complete one application form.
- Making application forms available at Council offices, libraries, other local voluntary sector offices and online at [www.midlothian.gov.uk](http://www.midlothian.gov.uk)
- Assistance to complete forms will be provided by contacting Housing Services on 0131 271 3394 or emailing [housing.enquiries@midlothian.gov.uk](mailto:housing.enquiries@midlothian.gov.uk)
- Applications will be accepted from anyone aged 16 or over with a legal right to reside in the UK with no restrictions, who wish to live in Midlothian.
- If appropriate to their list type, allowing applicants to choose the areas they would prefer to live in and the property type they would like.
- Providing advice and information on the available of housing as well as the applicants' housing prospects to help informed decision making.
- Setting a qualifying age for sheltered/retirement housing of over 60 and amenity housing of 55. You should check with each RSL for details of their specific developments.

### 3.2. Processing application forms.

On receipt of a completed application form, Housing Services will use the information provided to determine the group the applicant will be placed in and how many points to be awarded within that group as determined by this policy. Midlothian Council aims to process application forms within 15 days of them being received.

Applicants will be provided with written confirmation that their application has been processed. This letter will advise the applicant of the following:

- The group they have been placed in.
- The number of points awarded to their Housing Application, and how these have been calculated.
- How to appeal this decision if they think they have been treated unfairly.
- Where the applicant may seek further advice and information about their housing needs.
- Information on availability of Council housing in Midlothian.

Application forms from people who will not be considered for housing at the time will be suspended ([section 3.8](#)).

### 3.3. Joint applicants.

Joint applicants do not have to be living at the same address to apply, but each applicant will have to supply details of their current circumstances so that their application for housing can be assessed. Any priority for housing will be based on the circumstances of the applicant in the greatest need to ensure they are awarded the highest number of points possible.

Should there be a change in circumstances, and joint applicants no longer wish to be re-housed together, a new assessment will be carried out for each applicant. The original applicant will be entitled from the date they first applied. The former joint applicant will have their own application effective from the date they joined the former joint application.

After receiving notification of a change in circumstances Midlothian Council will update the Housing Application to reflect the changes. Applicants will receive written confirmation of their updated group/points and how they have been calculated.

Where joint applicants are not members of the same family, no more than two joint applicants may apply as otherwise a "House in Multiple Occupation" (HMO) may be created. HMO properties have specific regulations and licensing requirements which are not considered by this policy.

#### 3.4. Relationship Breakdown

In the event of a relationship breakdown or where the partners wish to be housed separately, the following will apply:

- Where the application is in joint names and they no longer wish to be re-housed together, a new assessment will be carried out for each applicant. The original applicant will be entitled from the date they first applied. The former joint applicant will have their own application form effective from the date they joined the former joint application.
- Where one of the partners wishes to leave the household and separately apply for housing, they can submit their own form effective from the date their own name, which will be assessed according to their current circumstances.

#### 3.5. Change in circumstances.

It is the applicant's responsibility to notify the council and update their application form if their circumstances change. This can be done by telephone, email, or in writing.

After receiving notification of a change in circumstances Midlothian Council will re-assess the Housing Application to reflect the changes. Applicants will receive written confirmation of their updated group/points and how they have been calculated.

#### 3.6. Review of applications

Midlothian Council will regularly review all applications for housing, including those which are suspended. Applicants will be contacted to ensure their circumstances remain the same and that they wish to remain on the waiting list.

Applicants will have 14 days to reply using the free post envelope provided. If an applicant fails to respond to this letter their Housing Application will be cancelled with a further letter sent to the last address the applicant provided.

Where an applicant makes contact within three months of their application being closed for this reason it will be reinstated from the date of the original application.

#### 3.7. Cancelled applications.

Applications will be cancelled in the following circumstances:

- At the applicant's request, a confirmation letter will be sent to the applicant.
- In the event of the applicant's failure to respond to correspondence.
- When the applicant has been housed by the Council, RSL or in a mutual exchange that meets the households needs.
- On the death of the applicant.

When an application is cancelled the applicant has the right to appeal. When considering an appeal officers will consider the individual circumstances of the applicants.

When an appeal is upheld, the application will be reinstated with the date of the current form.

### 3.8. Suspended applications

The Council may suspend applications from the housing list in some limited circumstances. An applicant whose application is suspended can make changes to their application. Where a change in circumstances is received the Council will update the application to ensure all points/priority are accurate and consider if the suspension should still apply. Where required the Council will ensure suspensions align with the Housing (Scotland) Act 2014.

Applications will only be suspended in the following circumstances:

#### 3.8.1. Antisocial behaviour.

When the Applicant or a member of their household has a history of evidenced antisocial behaviour:-

The Council will consider the circumstances of each applicant on its own merits to ensure fairness in deciding whether to suspend an application, considering the nature, frequency and duration of the behaviour. If an application is suspended for this reason the suspension will usually be for a period of at least 12 months.

#### 3.8.2. Breaches of tenancy agreement.

Applications may be suspended where an applicant is in breach of any conditions of their current tenancy agreement such as failing to maintain their garden or not keeping the property in a good state of repair.

Applications may also be suspended where an applicant has abandoned or neglected a previous tenancy.

#### 3.8.3. Outstanding Debt.

Applicants who owe rent, or have other outstanding debt relating to a tenancy for a current or former tenancy may have their application for housing suspended unless:

- They have paid what they owe in full,
- They owe equal to or less than one-twelfth of the yearly rent,
- They have entered into an arrangement to pay what they owe and have kept to the agreement for the last three months and are still keeping the arrangement.

#### 3.8.4. False or misleading information.

We may suspend any applicant if they have provided false or misleading information on their application. This will usually be for a period of six months, but we will consider each case on its own merits.

If an applicant secures housing as a result of false or misleading information on their application. we may take action to repossess the property.

### 3.8.5. Homeowners.

Homeowners may have their housing application suspended unless they are unable to access their own property, or occupying the property would lead to abuse or endanger their health.

### 3.8.6. Applicants in prison.

We will suspend your application while in prison as you will not be able to accept any offers of housing. The suspension will be in accordance with our pre-release work and the SHORE standards. When a person may be at risk of homelessness on release, a homelessness assessment will be offered two months prior to release.

### 3.8.7. At Applicants request.

Applicants may request their application is suspended at any time, this must be done in writing confirming the reason for the request. For joint applications this must be signed both applicants.

The Council will not suspend applications where there is a statutory homeless duty to make an offer of permanent offer of housing to a member of the household.

If the application is suspended, the Council will write to the applicant confirming:

- The reason why the applicant will not be offered housing now.
- An explanation of the next steps of the process.
- The steps they can take to resolve the problem.
- Advice on when their case may be reviewed.
- Details of the right to appeal the decision.

When reinstating applications to the General Needs list, applicants will have any waiting time points backdated to the original date of application.

### 3.9. Pre-tenancy Checks

Before making a formal offer of housing, Midlothian Council will complete relevant pre-allocation checks. This may include but is not limited to the following:

- Checks for outstanding debt relating for any current or former tenancy.
- Checks for any other breaches of tenancy, including antisocial behaviour.
- Checks that any current tenancy is maintained to an acceptable standard.
- References from other RSLs, or private landlords.

If an application is suspended as a result of these checks, the applicant will be informed of this as stated in section 3.8.

### 3.10. Fraud

In accordance with the principles of good corporate governance in administering public funds, Midlothian Council has a duty to guard against and take action on fraud.

Where an applicant deliberately makes a false statement to gain access to housing, or withholds information, their application will be cancelled.

Midlothian Council will take action to repossess any tenancy that has been granted by the tenant providing false or misleading information in respect of their Housing



Application and may pass this information to the police and other relevant services/agencies.

## 4. Making Offers of Housing

### 4.1. Information to be considered when making an offer of housing.

In accordance with Part II of the Housing (Scotland) Act 1987, the Housing (Scotland) Act 2001, and the Housing (Scotland) Act 2014 Midlothian Council will not take any of the following factors into consideration when making an offer of housing:

- The age of the applicant, provided they are aged 16 or over.
- The length of time the application has lived in Midlothian.
- The applicant's household income.
- Whether or not the applicant is living at the same address of the spouse or partner.
- Rent arrears or other tenancy related debt from a tenancy where the applicant is/was not the tenant, the debt has been repaid, or the amount due is less than one month's rent.
- Any outstanding debts, including Council Tax, due by the applicant or their household that are not related to a tenancy.
- All offers of housing will be made reflecting the applicants assessed housing need. Offers of housing will only be made on completion of satisfactory pre-tenancy checks as set out in section 3.9.

### 4.2. Size of Housing.

Applicants will only be offered housing suitable to the size of their household and the housing needs of their household, dependant on demand for housing.

Excluding kitchen and bathroom, a household's requirements for bedrooms are as follows:

One single bedroom for:

- A single person regardless of age.

One double bedroom for:

- A single person, couple, single parent or pregnant single person.
- Two children of different sexes under the age of 10.
- Two children of the same sex under the age of 16.

Please note the living room is considered to be sleeping accommodation under the [Housing \(Scotland\) Act 1987](#).

If two or more applicants have the same number of points, priority will be given the applicant whose household will make best use of the number of bedrooms the property has. Any permanent member of the household who is temporarily absent will still be considered to be part of the household when assessing size requirements.

Single applicants or couples are able to apply for either a one or two bedroom property. Households who already qualify for two or more bedrooms will not be granted any additional rooms for access to children.

#### 4.3. Definition of family

For the application of the Housing Allocation Policy the term 'family' is used as defined by the Housing (Scotland) Act 2001. The act defines family as:

- A single adult, a married couple or a couple, regardless of sex, living as if married.
- Their children, parents, grandparents, grandchildren, brothers, sisters, uncles, aunts, nephews and nieces.
- A child raised or treated by the partner as if their own, even if the child is not related to them, shall be considered part of the family.
- Two unrelated households or people who apply for housing will be considered as one household if requested by them.

An application for housing containing any of the above family relationships will be accepted as a household which can be given a priority reflecting their needs. It may be that the applicant does not currently live with their extended family or have not yet adopted or fostered a child but wish to be accommodated together and they could be offered a Short Scottish Secure Tenancy initially until the carer has settled.

#### 5. Letting areas

Applicants will be able to select the areas of Midlothian where they wish to be rehoused. These areas are aligned to the boundaries of the [local community councils](#).

#### 6. Description of Groups.

Midlothian Council uses a group and points system to assess applications. A summary of the points awarded to each group and the allocation targets for each group is detailed in [section 9](#).

##### 6.1. Homeless Group

Applicants who meet the following criteria will be placed in this group:

##### 6.1.1. Homeless applicants

This group will consist of those applicants who have been assessed as being unintentionally homeless or threatened with homelessness under the terms of Part II of the Housing (Scotland) Act 1987 (as amended).

To ensure that those experiencing homelessness access settled accommodation as soon as possible, and to minimise the time spent in temporary accommodation, all homeless households are required to **choose all house types** (house tenement flat and four in a block) on their application for housing.

Homeless households will be provided with appropriate advice to maximise their chances of being made an offer of permanent accommodation, including being encouraged to choose as many letting areas as possible. As a minimum, all homeless households will be required to choose at least **two** letting areas from the

following list which have a significant number of social housing properties which become available for let:

- Bonnyrigg
- Dalkeith
- Gorebridge
- Loanhead
- Mayfield
- Penicuik

Midlothian Council operates a model of Housing First to assist people with multiple/long term instances of homelessness, whose experience of homelessness is compounded by other multiple or significant support needs. Properties allocated to people accepted for Housing First will be included as part of Homelessness lets target.

Midlothian Council will also provide opportunities, on a case-by-case basis, to households in self-contained temporary accommodation to convert their temporary accommodation to a permanent tenancy, if the property matches their requirements. These lets will be included as part of the Homeless lets target.

From 1<sup>st</sup> June 2024 homeless applicants added to this group will have waiting time awarded from the date of their homeless assessment. Where an applicant moves from the homeless group to the general needs group their waiting time will revert to the date they submitted their Housing Application form.

#### 6.1.2. HM Armed Forces

Applicants who are due to be discharged from the armed forces will be offered an assessment under homeless legislation two months prior to discharge.

Serving members of HM Armed Forces who have lived in the Midlothian Council area prior to joining the forces, or who have a spouse or partner who have lived in the Midlothian Council area prior to enlistment date, or where the applicant or family have resided in the Midlothian Council area for at least three years while on service will receive Forces points on the application at 1 point for each two months from the date of enlistment.

#### 6.2. General Needs Group

Applicants in the group will be awarded points based on their current housing circumstances and their level of housing need.

#### Overcrowding

Overcrowding points will be awarded to applicants who are currently living in overcrowded conditions. An applicant is regarded as being overcrowded if they do not have all the bedrooms required for their household. Excluding kitchen and bathroom, a household's requirements are for a living room plus bedrooms as follows:

One single bedroom for:

- Any single person regardless of age.

One double bedroom for:

- A single person, couple, single parent of pregnant single person.
- Two children of different sexes under the age of 10.
- Two children of the same sex under the age of 16.

Applicants who knowingly cause overcrowding by allowing other people to move into their home or by moving into another person's home with **will not be awarded** any points for overcrowding.

#### Under occupancy

Points will be awarded to Applicants who are current Midlothian Council and Melville Housing Association tenants. For the purposes of this calculation, the extent of under-occupation will relate only to the difference between the number of bedrooms in the Applicant's current accommodation, and the number of bedrooms required to meet their Housing Application.

#### Living in insecure accommodation

Applicants who are currently residing with family/friends and wish to live independently, this also includes applicants who do not have a secure tenancy of their own,

#### Notice to Leave/Quit

Applicants in private rented accommodation who have received a valid Notice to Leave/Quit but are not statutorily homeless or threatened with homelessness.

#### Lacking/shared facilities

Applicants will be awarded points if the household is either sharing or lacking one or more of the following: bathroom, kitchen, or toilet.

#### Living in sub-standard housing conditions

Points will be awarded on receipt of confirmation from Environmental Health that the Applicant's current property is suffering from rising/penetrating damp or has no adequate drainage. In some circumstances Applicants may be referred to the Homelessness Service if their current accommodation does not meet the tolerable standard as defined in the Housing (Scotland) Act 1987.

#### Shared stairs

To provide greater opportunities for Midlothian Council and Melville Housing Association tenants who occupy a property with a shared stair to transfer to a house, additional points will be awarded to their housing application.

#### Midlothian House Project

The Midlothian House Project supports young people leaving care to establish their own home and live connected and fulfilling lives. The housing team will work in partnership with social work colleagues from Children and Families to allocate housing for those accepted onto this program. These let's will be allocated through the General Needs target.

### Harassment points

Points may be awarded at the discretion of the Housing Services Team if anyone included on the application is suffering from harassment, racial abuse or any other hate crime which cannot be resolved in any other way. Points will only be awarded after appropriate advice/confirmation has been sought from any relevant internal/external agencies. Where an applicant is experiencing domestic abuse, points will be awarded by a member of staff in the Housing Services Team. In some circumstances the applicant may be referred to the Homelessness Service.

### Safety points

Points may be awarded at the discretion of the Housing Service Team Leader when the Applicant or their household is suffering from harassment or abuse, including domestic abuse or a hate crime and there is evidenced need for a more urgent need to move.

### Management transfer

These should be an exception rather than the rule and only granted when there is a serious risk to a Midlothian Council tenant should they remain in the current property or where, for compelling and exceptional reasons, the Council wishes to re-house the applicant as a matter of urgency. In granting a management transfer, the Housing Services Team Leader must be satisfied that the proposed transfer will resolve or significantly alleviate the problem and that the tenant would not otherwise be re-housed in a reasonable timescale through the Housing Allocation Policy. Points will only be awarded after the appropriate advice/confirmation has been sought from any relevant internal and external agencies. Any offer made will be to any suitable and safe property type/area and only one offer of a management transfer will be given, should this be refused the management transfer will be cancelled. In some circumstances the applicant may be referred to the Homelessness Service.

### Exceptional circumstances

Applicants may be awarded these points at the discretion of a Senior Officer for an exceptional situation requiring emergency re-housing. Any offer made will be to any suitable and safe property type/area and only one offer of an exceptional transfer will be made. Should this be refused the exceptional circumstances points will be cancelled. In some circumstances the applicant may be referred to the Homelessness Service.

## 7. Health and medical need.

Households whose current accommodation does not meet the health and medical needs of the household will be awarded medical points in addition to any other points.

To Qualify for medical points an application must have been assessed by the Community Health Specialist.

Medical points will only be awarded if the applicant's current housing is wholly unsuitable for their health needs and it is not possible to provide cost effective adaptations to alleviate the problems.

In order for medical points to be awarded at least one of the following criteria must be met:

- Internal access, a member of the applicant's household is unable to access essential areas within the home e.g. WC upstairs and can't manage stairs even with a stair lift, or where a stair lift cannot be installed.
- External access, the current accommodation is an upper floor property, and a member of the applicant's household cannot manage stairs or is a ground floor property where it is not possible or practical to provide a ramp or slater the steps.
- Bathing, the applicant or member of their household is unable to use standard facilities with equipment and it is not possible or practical to adapt the current property to provide the type of bathing facility required.
- Additional room, an additional room is required for a live-in carer or other exceptional circumstances relating to the applicant's health needs.

Applicants with enduring mental health conditions will only be awarded additional priority if professionals involved in their care can demonstrate clearly how re-housing will significantly improve the applicants' condition.

Applicants suffering from drug or alcohol addiction need to demonstrate that they are currently participating in a recognised rehabilitation programme in order to be considered for assessment for health priority. Clear evidence must be supplied by a professional involved in their care that re-housing will make a significant contribution to their recovery.

Applicants with varying health needs may not require specially adapted housing, but may require housing of a particular size, type or location to suit their medical and social needs. The Community Health Specialist will assess individual need and points will be awarded to reflect the applicant's level of need. Recommendations regarding suitable housing will be taken into account when offers of housing are made.

## 8. Speciality housing.

Including Sheltered, Retirement, Very Sheltered, Extra Care Housing, Amenity and Wheelchair Accessible/Adapted Housing.

Applications for specially adapted housing will have their medical needs assessed by the Community Health Specialist and will be awarded points to reflect their need. These applicants may also be eligible for other points to reflect other defined housing need.

Applications for sheltered/retirement housing are invited from people aged 60 years or more, and in amenity housing from 55 years or more. People applying for this type of housing may also apply for mainstream housing.

An applicant awarded points for specially adapted housing can only use those points towards the allocation of that type of property.

A direct/one to one matching of applicants will operate when allocating Wheelchair Accessible/Adapted Housing, Very Sheltered Housing and Extra Care Housing.

## 9. Points awards and allocation targets.

### Waiting Time Points

Waiting time points are awarded to applicants from all groups on the following basis.

Homeless group	1 point for every two months from date of homeless assessment.
General needs group	1 point for every two months on the waiting list.

Group/Criteria	Points Awarded
<b>Homeless Group – Lettings target 60%</b>	<b>97</b>
Unintentionally homeless	
Tied housing with a notice to quit	
Members of HM armed forces with a discharge date or a notice to quit	
Housing which is below a tolerable standard	
Released from prison or who are within two months of release	
Housing First	250
<b>General Needs Group – Lettings target 40%</b>	
Resident in Midlothian	24
Applicant employed in Midlothian but resident elsewhere	10
Midlothian House Project	250
<b>Current housing circumstances points</b>	
Living care of family or friends	30
Insecure accommodation, i.e. short assured tenancy	30
Independent living – Non-Householders	30
Shared stair	30
Private rented with valid notice to leave/quit	30
<b>Condition of property points</b>	
Lack of facilities where a property does not have facilities	
Kitchen/cooking facilities	10
Toilet (within house)	10
Bath or shower	10
Lack of facilities where the property does have facilities, but they are shared	
Kitchen/cooking facilities	5
Toilet	5
Bath or shower	5
<b>Sub-standard housing points</b>	
Environmental health inspection required before being awarded.	
Separate assessment for below tolerable standard points.	



Group/Criteria	Points Awarded
Property has rising or penetrating damp	10
Inadequate system for drainage and disposal of foul water	10
<i>Social Need (no more than one of the following may apply at any time)</i>	
Harassment/hate crime/domestic abuse (Housing Services)	30
Safety points (Housing Services Team Leader)	100
Management Transfer (Housing Services Team Leader)	250
Exceptional circumstances (Senior Officer)	250

### Medical points

Medical points will only be awarded following assessment by the Community Health Specialist	
Category A (Homeless and general needs groups)	100
Category B (General needs only)	50
Care required/Carer (General needs only)	30

## 10. Properties advertised as Ready to Rent

Properties may be advertised as ready to Rent in the following circumstances:

- When there is no demand for a particular empty property, or
- The property has been formally offered and refused three times, or
- The property has been available to let for six weeks or longer.

Properties will be advertised as Ready to Rent on the Council's website and will be let as deemed appropriate but will take into account the number of points awarded and housing need of applicants who register an interest.

## 11. Number of offers.

Applicants will be entitled to formal offers of housing on the following basis:

General Needs Group – Where two reasonable offers are refused, the Applicant will remain on the waiting list but no further offers of housing will be made for a period of 12 months. If after this period, a further offer of housing is refused the housing application will be cancelled. Where an applicant's circumstances may have changed, they will have the right to appeal against offers of housing made to the Housing Services Team Leader, their case will be reviewed to determine if further offers are appropriate.

Homeless Group – If a homeless applicant refuses an offer of a property as their circumstances have changed the applicant may appeal the decision to the Homelessness Team Leader. If the appeal is upheld the applicant will remain in the homeless group and will be eligible for a further offer. If there is no appeal or an appeal is not upheld, the homeless points will be removed, and the applicant moved to the General Needs Group. The application will be pointed appropriately based on their circumstances. Any further offers of housing will be in line with the guidelines for



the General Needs Group, any offers previously made would be counted as part of that total.

## 12. Incentive to move scheme.

To increase the availability of larger properties for families the Council offers grants to Midlothian Council tenants who wish to move to a smaller property owned by the Council through normal letting or by a mutual exchange. The grant is only payable to those moving from a three bedroom property or larger.

- Midlothian Council tenants who downsize by 1 bedroom - £1000
- Midlothian Council tenants who downsize by 2 or more bedrooms £1500

Any tenants with an outstanding debt owed to Midlothian Council will have this offset against the grant before any payment is made.

## 13. Mutual Exchanges.

Midlothian Council participates in the [House Exchange](#) scheme. This allows tenants to advertise their property and find suitable properties to exchange in a simple, safe and effective way. Midlothian Council tenants are able to register for free at [www.houseexchange.org.uk](http://www.houseexchange.org.uk).

To encourage and assist Midlothian Council tenants to meet their own housing needs, we provide a Mutual Exchange grant of £250 to any Midlothian Council tenant who moves to another property as a result of a mutual exchange, any tenants with an outstanding debt owed to Midlothian Council will have this offset against the grant before any payment is made.

Provided all landlords grant permission, mutual exchanges can take place between two or more tenants from the following:

- Any Scottish Secure Tenant of a Scottish local authority or Housing Association.
- A tenant of any other local authority, Registered Social Landlord or Housing Association in the United Kingdom.
- A Water Authority tenant in Scotland.

Midlothian Council will consider all application for a mutual exchange on an individual basis and will not unreasonably withhold consent to a mutual exchange. However, Midlothian Council may refuse an application for a mutual exchange on any ground it considers reasonable. Some of the grounds to which consent for a mutual exchange may be withheld are:

- One or more of the households does not qualify for the size of property they are exchanging to.
- An applicant involved in the exchange has outstanding debt owed to Midlothian Council.
- Where Midlothian Council finds a property to be in an unacceptable condition.
- Where legal action has been taken to end the tenancy.
- If one or more of the properties has adaptations or design features not required by the person it is proposed to exchange with.

- Where any person involved in the exchange has pursued a previous course of antisocial behaviour.
- Where another landlord provides an unsatisfactory reference for a person involved in the exchange.

#### 14. Local Lettings Initiatives.

In order to allow flexibility where target performance shows that there are difficulties in letting houses of a particular size, or in a particular area, or where we need to find houses for applicants who need to be housed in a specific area, Local Lettings Initiatives are operated.

When setting these objectives, regard is taken of the legislative requirements, local tenants, residents and Elected Members, we will monitor Local Lettings Initiatives in order to assess their effectiveness.

We currently operate a Local Letting Initiative for new builds which maximises transfer options for existing tenants which encourages greater turnover in the housing stock.

For new build units at the point of first let the Housing Services team will allocate properties in the following order of priority until all properties have been allocated.

- 1) Allocate to existing Midlothian Council tenants from the General Needs group who currently live in the letting area where the property has been built.
- 2) Allocate to existing Midlothian Council tenants from the General Needs group who live elsewhere in Midlothian.
- 3) Allocate to applicants from the General Needs group who have chosen the letting area the property was built in as one of their choices.

To ensure the sustainability of tenancies, properties will be allocated to households who do not have a history of antisocial behaviour.

The only exception to the Local Letting Initiative policy will be for units built as specialist provision such as extra care housing which needs to be allocated according to the greatest need for this type of accommodation.

#### 15. Monitor and review.

The Council will review this Housing Allocation Policy every five years with tenant representatives in accordance with the Tenant Participation Strategy and other stakeholders. The Council will regularly monitor the policy to ensure compliance and that it is meeting the intended objectives.

Midlothian Council will operate the Housing Allocation Policy according to these rules and the relevant legislation. To make sure this happens:

- Applications are checked for accuracy.
- Every offer of housing is checked by another officer.
- Assessments and offers of housing are recorded.
- There is an appeals process and a customer complaints procedure.

## 16. Appeals and complaints.

Service users who feel they have been treated unfairly, or who are unhappy with the level of service provided, can complain using Midlothian Council's [Complaints Procedure](#). We will assist applicants wherever necessary to complete complaints forms and associated documentation. We will monitor the number of complaints received, analyse the data and use our findings to improve future performance.

If you are unhappy with any decision we make about your housing application, you can appeal against our decision. All appeals will be considered by independent officers ~~who that~~ had no part in making the original decision. You must appeal within 21 days of being told about the original decision. Appeals should be in writing; Housing Services will provide assistance to applicants who require assistance to appeal a decision. We will write to you with a decision on your appeal within 28 days.

You may wish to seek independent advice if you need help with your appeal, organisations who may assist include:

- [Shelter Scotland](#) – 0808 800 4444
- [Citizens Advice Scotland Dalkeith](#) – 0131 660 1636
- [Citizens Advice Scotland Penicuik](#) – 01968 675 259