

Dolphin Living

ALLOCATIONS POLICY FOR INTERMEDIATE RENT

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1. Introduction.

- 1.1 Dolphin Living is the collective name of the Dolphin Square Charitable Foundation and its subsidiaries, an independent charity that was established with an endowment of more than £124 million in 2005. Dolphin Living provides housing for people on low to middle incomes who live or work in central London. It is a Westminster based charity delivering homes in inner London. Most of these homes are being delivered in new build developments. Where opportunities arise, Dolphin Living is also growing its portfolio by acquiring existing homes in the private rented sector.
- 1.2 Dolphin Living's provision of homes for intermediate rent is the primary way in which we meet our charitable objective to assist working Londoners (who cannot meet their housing needs under normal market terms) secure accommodation they can afford from their earned income.
- 1.3 Intermediate rent is a form of intermediate housing, the definition of which is set out in the National Planning Policy Framework, which states that intermediate housing is:
- 'Housing at prices and rents above those of social rent, but below market price or rents. These can include shared equity products (e.g. HomeBuy), other low cost homes for sale and intermediate rent but does not include affordable rented housing'.*
- 1.4 Intermediate rents can be above target, social and affordable rents and up to 80 per cent of market rent. Intermediate rents are not limited by Local Housing Allowance (LHA) levels and can be set above this amount.
- 1.5 This policy sets out the way in which Dolphin Living will prioritise applicants for its intermediate rent properties.
- 1.6 A similar policy is applicable to Dolphin Living Limited, the Registered Provider within the Dolphin Living group.

2. Objectives

- 2.1 To ensure properties are allocated in a fair and transparent manner in accordance with the charitable objectives of the organisation.
- 2.2 To ensure the organisation complies with relevant legal and statutory obligations.
- 2.3 To ensure lettings and allocations are undertaken efficiently.

3. Scope

- 3.1 This policy does not apply to Dolphin Living's affordable rent, social rent, market rent or Westminster Home Ownership Accelerator properties. It does not apply to properties let to organisations or individuals in relation to our charitable objective to assist those who face financial hardship more generally.
- 3.2 For the purposes of this policy, a household is all the people in a family or group who

live together in a property. A household can consist of a single family, more than one family or no families in the case of a group of unrelated people.

4. Eligibility for intermediate rent

4.1 Our eligibility criteria reflect those of the Greater London Authority (GLA) for accessing intermediate housing. It also incorporates criteria that reflect the organisation's charitable objectives (set out in section 1). The eligibility criteria for our intermediate rent property is:

- Applicants must be aged 18 or over
- Applicants must be in employment in London.
- Applicants must meet the minimum income requirement relevant to the property for which they are applying, thus enabling them to afford the rent without recourse to Housing Benefit (subject to Dolphin Living discretion on changes in household composition, renewals and certain family properties).
- Applicants must be left with no more than one spare bedroom if they were to be allocated the size property for which they have applied (see the Dolphin Living Bedroom Standard for an explanation of how we determine the number of bedrooms a household needs).
- Applicants must usually not earn more than £67,000 gross per year per household (reviewed annually in line with the Mayoral limit for accessing intermediate housing products) except where the affordability criteria is above £67,000. In allocating properties in the Borough of Westminster City Council, the threshold increases to £90,000.
- Applicants must be British or EEA citizens who have indefinite leave to remain and recourse to public funds. Applicants from other countries must have a valid visa with indefinite leave to remain and recourse to public funds. Applicants that do not meet these criteria will not be eligible.
- Applicants must not own a home at the time of entering a tenancy agreement or at any time during their tenancy.
- Applicants with savings must have no more than £100,000.

4.2 Applicants will be required to provide evidence and information to verify their eligibility for intermediate rent, and to satisfy the criteria for prioritisation. Dolphin Living and the organisations we work with will undertake checks regarding identity, residency, immigration status, employment, and financial history. This may include checks regarding any existence of rent arrears and the extent of any involvement in antisocial behaviour. Dolphin Living and the organisations with which we work will verify information with other agencies and organisations which may hold information on the applicant and household members. This might include local authorities, landlords, financial institutions, and credit agencies.

4.3 Any failure to include relevant information, to hide material facts or to attempt to obtain housing through false information will be treated as fraud. Dolphin Living treats housing fraud seriously and will take legal action against applicants found to have committed

fraud, including, but not limited to, the termination of any tenancy or application associated with fraudulent activity.

It is the applicant's responsibility to keep their application up to date at their initial application and inform Dolphin Living and/or the organisations with which we work of any change in circumstance.

- 4.5 Failure on the part of an applicant to provide requested information may render their application incomplete and, as a result, Dolphin Living will consider that application to be withdrawn.
- 4.6 If Dolphin Living has reasonable doubts about the validity of an application, it may be suspended until all necessary investigations have been completed.
- 4.7 Applications from people who (as an applicant or household member) fall into the following categories will be rejected:
- a) Applicants who have supplied false or misleading information on their application for housing
 - b) Any applicant who has paid money (excluding rent, deposit and/or fees) to obtain a tenancy with either Dolphin Living or a housing association operating within the borough.
 - c) Any applicant or member of their household who has been convicted of, or had legal action taken against them for: violence, racial harassment, threatening behaviour, any other antisocial behaviour, any physical or verbal abuse towards staff of Dolphin Living, its contractors, or appointed agents within the last five years. Legal action here includes convictions, serving of injunctions, notice of intention to seek possession, court order, revocation of licence to occupy.
- 4.8 Applicants who have been subject to legal action for breach of tenancy may be excluded at the discretion of Dolphin Living.
- 4.9 Applicants or household members who own a property, or a share in a property, or hold a tenancy elsewhere will be required to take the following action. Prior to signing a tenancy agreement with Dolphin Living, they will be required provide evidence of the termination of their interest in any other property or properties before the commencement date of their Dolphin Living tenancy. For the avoidance of doubt, the eligibility criteria regarding the applicants' inability to meet their housing needs under normal commercial terms set out in paragraphs 1.2 and expanded on in paragraph 4.1 of this policy must also be met.

5. Prioritisation

- 5.1 The demand for intermediate rental properties in central London is greater than the supply. Wherever allocation of homes is at our discretion, Dolphin Living will apply the approach to prioritisation of applications, set out at 5.4, in alignment with the City of Westminster's Housing Strategy.
- 5.2 It is often the case that the allocation of our homes is governed by specific planning permission conditions relating to individual developments. These are determined by the local authority in which the development is located. Where such planning conditions are

present, these supersede the priority groups outlined in this policy and homes will be allocated in accordance with the requirements of the planning authority.

- 5.3 Additionally, where there are local priorities that differ from those of Westminster City Council's Housing Strategies, Dolphin Living will implement local lettings plans which will take precedence over this section of the policy and govern the allocation of properties in those localities. In all other cases the below listed approach will be taken to prioritising applications:

Priority Group	Category	Priority Group Details
1	Social housing tenants giving up their property for nomination to WCC waiting list	First offer within band to Social Housing tenants - all Council and RP tenants living in Westminster.
	MOD serving personnel	Second offer to MOD serving personnel*.
	Ex Family Quota applicants (adult children of WCC tenants and leaseholders)	Third offer to ex-family quota category waiting list applicants with a WCC issued and confirmed list number.
	Discretionary P1s (current discounted rental/IMR tenants in housing association property within Westminster)	Fourth offer to current housing association discounted rental/IMR tenants, residing in Westminster, when vacating the property provides an opportunity for WCC to nominate into the resultant vacant property (subject to verification by Homeownership Westminster).
2	Waiting List for Council Housing	Homeless duty owed to re-house.
3	Waiting List for Council Housing	All other Council Housing Waiting List categories.
4	Westminster residents	Currently living in Westminster. (No nomination offer will be made until the term of residency is at least 12 months.)
5	Working in Westminster	People employed in Westminster. (No nomination offer will be made until the period of employment in Westminster is at least 12 months.)

* Regular Service Personnel; Clinical Staff (excluding doctors/dentists); MoD Police Officer; Uniformed Staff in Defence Fire Service; Full-time Reserve Service; Surviving Partner of Regular Service Personnel who died in service within the last 12 months; Service personnel that have successfully completed basic phase 1 training; Ex-Regular Service Personnel. ⁵

- 5.5 Within the above listed priority groups, applications will first be prioritised by housing need. This means that households who have the most need of the bedrooms within a property will be prioritised over those to whom a letting would result in one or more spare bedroom(s). To see how Dolphin Living determines the number and size of bedrooms a household needs, see the Dolphin Living Bedroom Standard.
- 5.6 Secondly applications will be prioritised based on household income. This means that those with the lowest income (but who meet the minimum income requirements for the property in question) will be prioritised ahead of applicants with greater household incomes.
- 5.7 Thirdly, where we find applications of identical housing need and household income, the time and date of registration with Dolphin Living or the referring organisation will be used to determine priority. This means that the application with the oldest registration date will be prioritised above more recent applications.

6. Renewals

- 6.1 Tenants who are living in a scheme which does not include a linked initiative leading onto home ownership (e.g., part of the Westminster Home Ownership Accelerator) may apply to have their tenancy period renewed for a further period on the condition that the household continues to meet the eligibility criteria for our intermediate housing. Dolphin Living reserves the right to refuse the renewal of tenancies where the terms of the tenancy, including payment of rent and other charges such as utilities, have not been met.

7. Internal Transfers

- 7.1 Dolphin Living will consider requests to move within the Dolphin Living portfolio. This is only applicable to residents living in intermediate rented housing with 3 year assured shorthold tenancies. Residents living in the Borough of Westminster will also be required to re-apply to Westminster City Council for approval before an application to move will be considered.
- 7.2 Residents living in social or affordable housing with a Dolphin Living Limited (DLL) tenancy agreement are not able to apply for an internal transfer. DLL, as a registered provider, enables residents to exchange their tenancy with that of another resident by way of a mutual exchange service called HomeSwapper. See DLL Mutual Exchange Policy for further information.
- 7.3 Residents with arrears will not be considered for a transfer.
- 7.4 Transfers will be treated as new applications for the desired property. Applicants must provide updated household information showing they meet the eligibility and affordability criteria. A new tenancy agreement, including any change in rent level and deposit required, will be created for the new property.
- 7.3 Dolphin Living will assess all applicants to determine whether they fall into the below ranked priority bands:

1. Decant (Temporary)
2. Decant (Permanent)
3. Health and disability reasons
4. Severely overcrowded (2 bedrooms or more)
5. Overcrowded (1 bedroom)
6. Underoccupied
7. Discretionary (personal circumstances such as household break up)

Where there is more than one applicant within a priority band that meet the requirements for a property, Dolphin Living will allocate the apartment to the applicant with the earliest priority date being the date they became eligible for that priority band.

If your circumstances change and you qualify for a higher band, your priority date will change to the date you became eligible for that band. Where an applicant meets the criteria for more than one priority band, Dolphin Living will place them in the relevant band that has the highest level of priority.

- 7.4 Dolphin Living residents who do not meet the above criteria will be ineligible for an internal transfer. For example, sole or joint resident in a studio cannot apply for a one bed as they are not deemed overcrowded.
- 7.5 Dolphin Living retain the right to refuse any application for an internal transfer.
- 7.6 No more than one transfer application within a 3-year tenancy will be considered.

8. Change in household composition

- 8.1 During a three-year tenancy agreement, household compositions may change. In the case of joint tenancy agreements, if one of the lead tenants moves out, or wishes to move out, of the property, they remain responsible for all tenancy obligations including rent unless agreed by Dolphin Living. In such circumstances, residents must inform Dolphin Living and either advise Dolphin Living that they intend to vacate the property providing the required 3 months' notice or, subject to approval by Dolphin Living of the eligibility of the remaining tenant, continue the tenancy until the term expires and the tenancy is due for renewal. Until Dolphin Living are informed, both tenants remain jointly and severally liable for the tenancy agreement.
- 8.2 Similarly, the lead tenant(s) must seek permission to add an additional person to the qualifying household for example, a partner or family member. Residents are not allowed to bring a new adult household member into the property without prior approval from Dolphin Living as this would result in a breach of their tenancy agreement, by subletting a room, which could lead to eviction.
- 8.3 Any additional household member named on the tenancy agreement as a joint tenant must provide the necessary documentation to meet the eligibility and affordability criteria for that property. A permitted occupier named on the tenancy agreement must provide necessary identification for proof of residency in the UK. For homes in the City of Westminster, residents may be required to disclose this

information to the Council and potentially be requested to re-apply for the property with the updated household information.

9. Equality and diversity

- 9.1 We are committed to equal opportunities in housing. We may collect information certain information on protected characteristics (protected under the Equality Act 2010) to help monitor our allocations process. All applicants for housing or rehousing may be asked to provide details of age, disability, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. This is to allow us to assess the application properly as well as to monitor who is allocated housing, and to ensure that properties are being offered and allocated fairly.
- 9.2 We want our services to be easily accessible. If an applicant needs extra help to be able to use our services, such as translation and interpretation services, large print or signing, these will be made available.

10. Disputes concerning the allocation of intermediate rent properties

- 10.1 The allocation of intermediate rent properties will be completed in accordance with this policy.
- 10.2 There is no statutory right to appeal or review a decision not to assess or shortlist an applicant or allocate to an applicant an intermediate rent property. However, where appropriate and when requested, Dolphin Living will review an application and inform the applicant if the decision has been reversed or upheld.