



Private Rented Sector Access Fund Policy 2021

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1 Introduction

- 1.1 The Homeless Reduction Act 2017 (HRA) places two main duties on the local authority:
 - a duty to prevent homelessness where someone is threatened with homelessness within 56 days; and
 - a duty to relieve homelessness where someone is already homeless.
- 1.2 The Act requires local authorities to provide homelessness services to all eligible people threatened with homelessness or actually homeless, irrespective of priority need, intentionality and local connection.
- 1.3 The Council will always strive to help someone to remain in their existing accommodation – where it is safe and suitable to do so – or to help them to secure alternative suitable accommodation with friends and family, supported accommodation, private rented accommodation, or low cost home ownership (see Homelessness Prevention Fund Policy for more information).
- 1.4 To positively end a prevention or relief duty to an applicant the local authority must be satisfied that the applicant has suitable accommodation available for their occupation and a reasonable prospect of that accommodation being available for at least six months.
- 1.5 If a household becomes homeless, they may require temporary accommodation. Local authorities will focus on homelessness prevention and relief initiatives to prevent anyone from having to live in temporary accommodation.
- 1.6 Living in temporary accommodation can be disruptive, and have a detrimental impact on the physical, emotional and financial welfare of homeless households. The provision of temporary accommodation is also extremely costly to the local authority and there is a constant effort to reduce expenditure.
- 1.7 Often a spend to help someone to access suitable accommodation in the private rented sector, far outweighs the cost of providing temporary accommodation and/or affordable/social housing.
- 1.8 We understand that many people may prefer to live in social housing than the private rented sector, because the rent is usually lower and social tenants normally enjoy the security of a longer fixed-term tenancy. However, there is a much greater demand for social housing than there is supply in North Northamptonshire and so the Council must promote and utilise all available resources. The private rented sector is an increasingly important source of housing and the Council recognises the role it must play in providing suitable and appropriate accommodation for homeless households.

- 1.9 The private rented sector provides decent homes for many households and the Council is committed to ensuring that all private rented housing solutions are suitable, affordable, and sustainable and meet the required standards.
- 1.10 The Council can make an offer of private rented sector accommodation to prevent or relieve homelessness, and to bring the main housing duty to an end under S193 Part VII Housing Act 1996 (as amended). See Discharge of Homelessness Duties (Accommodation Offers) Policy for more information.
- 1.11 Funding for this policy is from 2 main sources:
- Ministry of Housing Communities & Local Government (MHCLG) allocations for Homelessness Prevention Fund (formerly Flexible Homelessness Support Grant and Homelessness Reduction Grant)
 - North Northamptonshire Council

2 Aims and Objectives of this Policy

- 2.1 This policy aims to:
- Increase the number of households prevented from becoming homeless and relieved of their homelessness by helping them to secure suitable and affordable accommodation in the private rented sector (irrespective of priority need, intentionality, and local connection¹).
 - Improve the overall health and wellbeing of homeless households by preventing the need for, or reducing the time spent in, temporary accommodation.
 - Enable the Council to discharge its duties to homeless households under homelessness legislation by making an offer of suitable and affordable private rented accommodation.
 - Reduce the Council's use of and costs associated with the provision of temporary accommodation.
- 2.2 The policy operates on a 'spend to save' principle²; a small spend can save a much larger spend in provision of temporary accommodation and staffing costs associated with assessing and determining applications for homelessness assistance.
- 2.3 In accordance with applicants' Personalised Housing Plans (PHP), applicants will still be required to take reasonable steps to prevent or relieve their homelessness, including saving money and contributing funds where possible to assist with resolving their housing situation.
- 2.4 Any payment would be made as a grant to the applicant, on the basis the

¹ Although the Council will not apply any blanket policies and will consider each case on its own merits; the Council will refer cases with no local connection in accordance with legislation and guidance

² This policy operates on a 'spend to save' principle, and there is no requirement for Housing Advisers to carry out actual calculations/cost balancing exercises

provision of the payment would outweigh the costs associated with progressing and determining an application for assistance and or providing temporary accommodation, even long-term social housing³.

3 Private Rented Sector Access Fund Payments

- 3.1 Payments from this Fund can be made to cover:
- Rent in advance
 - Deposit
 - Any associated (lawful) fees
- 3.2 Payments from this Fund can be made to enable the following types of private rented sector housing solutions:
1. **Customer identified** – where the customer identifies a suitable and affordable private rent and requires assistance with the upfront costs involved to secure it.
 2. **Private Rented Sector Offer (PRSO)** – an offer of private rented accommodation made by the Council to discharge the main housing duty (S193(7F))
 3. **Final accommodation offer** – an offer of private rented accommodation made when the customer is in the S189B relief stage (S193A(6) and S193C(9))
 4. **Suitable offer of private rented sector accommodation** – an offer of private rented accommodation to prevent or relieve homelessness.
- 3.3 Please note that in cases of (2), (3) and (4, when the household is in priority need for accommodation) the private rented sector accommodation must meet the requirements of **Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012** if it is to be considered suitable when offered to an applicant. See Discharge of Homelessness Duties (Accommodation Officers) Policy for more information.
- 3.4 All payments must be approved by the Authoriser (see 'Fund Payments Authorisation Procedure' for more details).

4 Kettering Lettings Plus (KLP)

- 4.1 KLP is private rented sector access scheme established by the former Kettering Borough Council in July 2020.
- 4.2 The scheme will continue to operate in the Kettering area under North

³ This policy operates on principle, and there is no requirement for Housing Advisers to carry out actual calculations / cost balancing exercises

Northamptonshire Council and the Council aims to expand the scheme across all areas in the new Council's area.

- 4.3 The scheme was developed to build confidence amongst local private rented sector landlords (and agents) and using the private rented sector to successfully accommodate more complex and vulnerable homeless households.
- 4.4 This meant an investment to ensure that private rented sector tenancies are sustained by providing practical support and financial incentives to landlords and working towards the Council being a credible partner and low risk solution for private rented sector landlords to obtain tenants.
- 4.5 The scheme therefore has two components:
- Practical support for vulnerable tenants and their landlords provided by specialist housing staff (Private Rented Sector Tenancy Support Worker and Landlord Liaison Officer)
 - Financial incentive package for landlords (developed further to a landlord consultation)
- 4.6 The scheme also supports the Council's need to ensure safe, suitable and affordable accommodation for homeless households.
- 4.7 More information about the scheme can be found on North Northamptonshire Council's website.
- 4.8 Payments from this Fund will be made in relation to private rented sector housing solutions secured for homeless households through KLP.

5 Eligibility⁴

- 5.1 The Fund can be used for:
- Single people, couples or families who are homeless or threatened with homelessness within 56 days.
 - They must have completed a full assessment with a Housing Adviser and deemed eligible for assistance in accordance with S185 PVII Housing Act 1996 (as amended).
 - They must have a local connection to the North Northamptonshire Council area in accordance with homelessness legislation (households without local connection may be considered if there are exceptional circumstances determined by the Authoriser).

⁴ The Council can make (and will fund) a suitable offer of private rented sector accommodation, a final offer of accommodation and a PRSO regardless of the applicants engagement to prevent or relieve their homelessness, any savings they may have and alternative means of funding available. The Council will make such offers in accordance with the Discharge of Homelessness Duties (Accommodation Offers) Policy.

- They must be actively engaging with the Council to prevent or relieve their homelessness.

5.2 Households may not be eligible if:

- They have savings which would enable them to make the payments themselves.
- There are reasonable alternative means of funding available, for example, if benefit or charitable payments would cover the costs associated with securing a private rent.
- There is evidence to suggest that they would be unable to manage a tenancy successfully, even if support was provided for example they have been refused access to supported accommodation owing to their needs being too high.
- It becomes evident that false information has been supplied, or relevant information has been withheld.
- The proposed private rented sector accommodation does not meet the required standards (including affordability).
- Where the payment will not result in the applicant being able to access or remain in accommodation for at least 6 months.

5.3 Circumstances in which payments will not be made include but are not limited to:

- Where other funding is available for example, Discretionary Housing Payment (DHP) or charitable funds
- Anything which could be seen to support potentially illegal or immoral action by any party
- Where repeat payments have been made to an applicant from this Fund to remedy homelessness owing to the same cause

6 Private Rented Sector Access Fund Procedure⁵

6.1 Customer Identified Solution

The Housing Adviser must:

- 1) make an assessment that the applicant is eligible for assistance from the local authority in accordance with S185 of the Act, and homeless or threatened with homelessness in accordance with S175 of the Act

⁵ The Housing Options Service in the locality area formerly known as the district of East Northamptonshire is delivered by Home Direct (under contract until March 2022). Authorisation for payments from the Fund will be provided by North Northamptonshire Council (Authoriser), but payments will be made by Homes Direct who will in turn invoice North Northamptonshire Council for reimbursement.

- 2) have completed a full housing assessment with the applicant, a Personalised Housing Plan (PHP), and relevant referrals to any support services or organisations for example, money/debt advice
- 3) make an assessment that the applicant meets the eligibility criteria for this Fund in Section 4 of this policy
- 4) consider and detail use of the Fund in line with a range of associated reasonable steps within the applicants PHP
- 5) ensure that the accommodation is affordable for the household, and sustainable, using the Personal Budget Sheet
- 6) arrange for the proposed accommodation to be inspected (by the Council) to ensure it is free from category 1 hazards, has a valid gas safety certificate, an Electrical Installation Condition Report issued by a competent electrician (within 10 years of issue) and a current EPC (Energy Performance Certificate)⁶
- 7) where the identified accommodation is a House in Multiple Occupation (HMO), that it is licensed where a license is required

The applicant must:

- 1) be actively working with the Housing Adviser to prevent or relieve their homelessness
- 2) be able to provide the usual documentary evidence and in addition copies of statements from all bank, post office, building society or savings accounts held to evidence that they do not have the necessary funds available to them.

6.2 Requesting approval

- 6.2.1 To request approval for a payment from the Fund to be made, the Housing Adviser must submit the Checklist and Request for Payment from Private Rented Sector Access Fund to the Authoriser for authorisation.
- 6.2.2 Once authorisation is provided the Housing Adviser should complete a Payment Requisition and send it to Finance for the payment to be made. The payment will be made by BACS to the receiving party.
- 6.2.3 The Housing Adviser must attach the following items to the applicant's case:
 - 1) Completed Personal Budget Sheet
 - 2) Inspection report and associated documents
 - 3) Correspondence with letting agent/landlord
 - 4) Checklist and Request for Payment from Private Rented Sector Access Fund

⁶ Until a common approach is implemented, inspections are completed by Private Sector Housing Team in Kettering area and housing advisers in other areas in line with Housing Health and Safety Rating System (HHSRS), Housing Act 2004

- 5) Authorisation
- 6) Payment Requisition

6.2.4 The Housing Adviser must also confirm details of any payment from the Fund in the applicant's general advice / end duty letter.

6.3 Private Rented Sector Offer (PRSO) and final accommodation offer

6.3.1 All steps as set out above must be taken, additionally the accommodation must meet the requirements in Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012 if it is to be considered suitable when offered. See Discharge of Homelessness Duties (Accommodation Offers) Policy for more information.

6.4 Suitable offer of private rented sector accommodation

6.4.1 All steps as set out above must be taken, additionally where households have a priority need for accommodation, the accommodation must meet the requirements in Article 3 of the Homelessness (Suitability of Accommodation) (England) Order 2012 if it is to be considered suitable when offered. See Discharge of Homelessness Duties (Accommodation Offers) Policy for more information.

6.4.2 Once payment from the Fund is approved, Housing Advisers must send the applicant the relevant accommodation offer letter outlining the terms of offer and consequences of accepting or refusing the offer.

6.4.3 Please note that in the Kettering area, these accommodation offers are arranged and progressed by KLP and the offer letter is sent by the Housing Adviser (see KLP procedures).

6.5 Receiving party

6.5.1 The receiving party (landlord or agent) must provide written agreement that the payment (made by BACS) will be used in the way intended for example, as a deposit and/or rent in advance.

6.5.2 A payment will not be made to the applicant unless in exceptional circumstances as determined by the Authoriser.

7 Recording, Monitoring and Review

7.1 A record of payments will be kept by the Authoriser in each locality team and the Authoriser in each locality team will monitor spending under the Private Rented Sector Access Fund against the budget.

7.2 This policy will be reviewed annually or sooner if there are any changes to legislation or operational requirements that may impact on this policy and its

delivery.

- 7.3 Minor changes to this policy can be agreed by the **INSERT POSITION**. Where there are significant changes or changes to legislation then this will require the appropriate governance.

8 Complaints and Appeals

- 8.1 Use of the Fund is at the discretion of the Authoriser and there is no application procedure or appeals process.
- 8.2 In addition, the Authoriser has authority to refuse any request of a Housing Adviser (or applicant) for use of the Private Rented Access Fund where an applicant's circumstances are as such that it would be inappropriate or improper to utilise public resources.
- 8.3 North Northamptonshire Council operates a Compliments and Complaints Policy so that everyone is clear about how to compliment, comment and complain about services provided by the Council and what will happen to those comments once they are received. A copy of the Compliments and Complaints Policy can be found on the North Northamptonshire Council website.

9 More Information

- 9.1 If you would like further information about this policy please contact North Northamptonshire Council's Housing Options Service:

ENTER CONTACT DETAILS