



## **Report on the review of the Scheme of Lettings**

Section 22 of the Housing (Miscellaneous Provisions) Act 2009 requires housing authorities to set out the order of priority to be accorded to households assessed as qualified for social housing support and to households, already in receipt of social housing support, that are approved for transfer. It is the function of the Elected Members of the City Council to approve a new scheme or to make amendments to an existing scheme.

The setting of income levels on qualification for inclusion on the assessment of need is a national issue and any changes to those income levels is a matter for the Department of Housing, Planning and Local Government and is outside the control of Dublin City Council.

This is the first review of this Scheme, which was adopted in 2014. The Scheme was however amended in 2017 to include provision for the Housing Assistance Payment (HAP) Scheme.

It is essential at a time of very limited supply, that such a Scheme reflects as much fairness as possible for all applicants on the Housing and Transfer Lists and to avoid any unintended implications from any of the various provisions in the scheme.

A Scheme of Lettings sub-group of the Housing Strategic Policy Committee was formed some months ago and met on several occasions with additional feedback by email submissions.

Elected members of the City Council would have very significant direct experience in the operation of the Scheme of Letting Priorities

In addition the issues involved have received very significant consideration and reflection from Management in the City Council and in the Dublin Region Homeless Executive. There is considerable expertise and experience built up over many years on Homelessness in both DCC and the DRHE with staff in the Central Placement Service (CPS) and the Housing Allocations/Housing Welfare Service having the greatest interaction of all with homeless households in Dublin on a daily basis.

The process was also assisted by an experienced research team in the DRHE.

A number of key themes have emerged in the course of consultation and consideration/reflection.

These are developed below:

## **Homelessness:**

Dublin City Council is proposing to continue assessing homelessness as defined in the 1988 Act and recording it as the basis of need but will no longer prioritise offers of social housing to homeless families ahead of other households who have prior dates of application. (many much longer on the list)

As it stands once a family is accepted and assessed as homeless they move onto a separate Homeless Priority List as well as being offered various forms of emergency accommodation.

The rationale for the proposed change is as follows:

1. Dublin City Council provided a higher than ever number of homeless households with social housing in 2017, including 130 Rapid Build units provided specifically for homeless families and acquisitions by the National Housing Agency from the various Financial Institutions (Distressed mortgages). We consider that it was the correct response to the housing situation at that time however we need to be equally conscious of the large number of families with far longer time on the housing list who are themselves moving between rental properties and facing many of the same issues in relation to security of tenure in the private rental market.
2. There is overcrowding in the private sector but also within our own social housing stock that may soon become unsustainable and also result in homelessness. There was a strong view from the Elected Members' sub-group that we need to prevent homelessness and deterioration of existing stock by relieving overcrowding.
3. Some households with very long waiting times are at risk of being disqualified on income grounds despite having an assessed need over a number of years. Local authorities cannot exercise discretion in relation to income thresholds. By directing more housing offers to those longest qualified it is hoped to address this.
4. The Dublin Region Homeless Executive continually researches patterns of use by families in emergency accommodation. Families who are new to homelessness are far more likely to avail of Housing Assistance Payment (HAP) and have shorter stays. Once families stay beyond 6 months in emergency services the uptake of HAP decreases.
5. We are concerned that families may endure a prolonged period in emergency accommodation (particularly in commercial facilities) and not consider alternatives, in order to secure what they believe to be the most sustainable option for their family i.e. permanent social housing. This is completely understandable but DCC does not have adequate housing stock and families may not realise that waiting for a permanent social housing offer given the current numbers in homeless services is likely to take some years.
6. While emergency accommodation options have been enhanced with the introduction of Family Hubs we consider that the Housing Assistance Payment Scheme within the Private Rented Sector has become a much more sustainable option for Homeless Families. Under our proposed changes to the Allocations Scheme families will move more quickly out of HAP and the resultant vacancies will be *back filled* by other Homeless Families.

While it might seem counter-intuitive to cease prioritising families for social housing as in the current Scheme, it is with a view to encouraging shorter stays and supporting families to rent independently with enhanced financial and social support.

**This will be balanced by significantly increasing the level of allocations to Homeless HAP Band 1 Transfer List.**

In summary what we propose for Homeless Families is:

- a) Continuing the provision of emergency accommodation where necessary including Family Hubs.
- b) Continued qualification for the Homeless HAP scheme, with a month's deposit and rent in advance and 50% uplift on existing rent supplement caps;
- c) Homeless families will retain their full length of time entitlement on the list.
- d) An expanded place finder service to assist households in emergency accommodation to find accommodation under the Housing Assistance Payment Scheme (HAP)
- e) *Giving a higher proportion of allocations to Band 1 Transfer HAP.*
- f) Under CAS and other housing development schemes DCC will continue to set aside a small proportion of dwellings specifically targeted at vulnerable homeless households. These will include housing provided by Focus Ireland, Peter McVerry Trust, Dublin Simon, Alone etc.
- g) Homeless Families may apply for medical and welfare priority in the normal way, and we will put greater focus on Homeless families gaining welfare priority through our Housing Welfare Service.
- h) Any homeless households reached for offer under the length of time qualified on the list will continue to be offered social housing.
- i) Visiting support varying from intensive and indefinite (Housing First) to time-limited and low-support will be made available to homeless households.
- j) We will continue to set aside a number of units for Housing First as the most effective response to rough sleeping and chronic homelessness. Priority for these units is based on the length of time homeless and the level of vulnerability to rough sleeping.
- k) An impact Assessment of Changes Review will be commissioned by the Council within 12 months of the proposed revisions being implemented.

It is very important that I further clarify item (e) above which will confirm that the proposed revision of the scheme will not result overall in Homeless families being de-prioritised.

**In 2017 just over 20% (318) of all lettings made by Dublin City Council were to Homeless families and in the context of the proposed revision of the scheme, Dublin City Council will continue to make a similar level of lettings to Homeless families by ring-fencing 21% of total lettings each year to families residing in Homeless HAP Tenancies. (Band 1 Transfer List)**

In addition to this 21% ring-fencing, Homeless families will continue to receive lettings through the Priority provisions on Medical and Welfare in the Scheme.

Any revisions approved to the Allocations Scheme will not be applied retrospectively and they will only become effective after approval by the Elected Members at a full City Council meeting (May 2018)

This means that current families in Homeless Emergency Accommodation (Over 1,000) will be catered for under the provisions of the existing scheme and over the following year it will be possible to assess the real impact of the proposed changes where new families will be catered for under the proposed revised provisions of the Allocations Scheme.

#### **Children in Shared Custody/Access arrangements:**

The issue of children in access arrangements not being offered bedroom accommodation with partial access/custody arrangements has been considered. All parties agreed that in principle it would be beneficial to provide for overnight access through provision of extra bedrooms.

However, Dublin City Council must have regard to the housing available to it and to secure the most beneficial, effective and efficient use of such limited stock as we have. Consideration must be given to children in overcrowding situations (Band 2) and families currently in emergency accommodation where children do not have any access to a separate bedroom (Band 1).

The impact of allowing additional bedroom requirements in these cases would be significant:

- a) There are currently 895 access households identified on the system.
- b) It is likely this would increase if the policy changes. This may impact significantly on current housing and transfer list positions for 2 bedroom accommodation.
- c) There will be an effect on the supply both in social housing and in the rental market of 2 bedroom accommodation available to families if separated parents are also competing for this accommodation.

If supply was not so constrained, Dublin City Council would recommend listing separated parents with partial custody/access arrangements for one additional bedroom on assessment of the relevant legal documentation.

However given the extensive waiting lists in Dublin City Council, it is recommended that while there are households with children on the housing wait list with a greater need, i.e. no access to a bedroom, the following should apply:

- a) Children of parents living apart will in general be included in the Household of each parent but the type and extent of accommodation, which they require, will be assessed taking into account the extent to which their need for accommodation is met in the household of the other parent.
- b) Dublin City Council will assign multiple bedroom unit requirements to the parent with whom the children reside for the greater part and a 1-bedroom requirement to the other parent.

### **Older Persons:**

Dublin City Council sets aside a proportion of its stock to cater for the housing needs of older persons.

We are recommending, *without affecting existing qualified applicants*, that the age of qualification for Older Persons accommodation be raised to **60** (Currently 55) with consideration on application of persons **55** years (Currently 50) and over where any of the following factors apply:

1. Disability: Physical, sensory, intellectual or mental health
2. Medical Grounds: if the applicant has been awarded medical priority.
3. Compassionate: If the applicant has been awarded welfare priority.
4. Homeless: If the applicant is residing in Section 10 funded Housing.

In a previous era when there was a plentiful supply of suitable housing, Dublin City Council reduced the age of qualification for older persons accommodation (to 55 and 50) but we consider that it is now appropriate to increase both by five years.

### **Disability:**

Dublin City Council will require 5% of all new developments to make specific provision for disability.

Dublin City Council under its Capital Assistance Scheme (CAS) and other housing development schemes sets aside a small proportion of dwellings for individuals who, in the opinion of the housing authority and supported by objective assessments, require specific supports relating to their form of disability and will allocate appropriately (based on date of qualification in the first instance and match of needs in the second). E.g. HAIL/Cheshire Homes etc.

### **Medical Priority:**

As requested we have attempted to set out more clearly how medical priority is awarded and to separate it from disability.

### **Refusals:**

We are setting out more clearly what happens in the case of refusals of housing offers.

### **Appeals:**

We have included for an appeal of decisions.

### **Other changes:**

Everything that relates to qualifying has been included at the end of the document as the Scheme proper relates only to how Dublin City Council Housing is allocated to qualifying applicants.

### **Equalisation of Band One:**

It is proposed to use the qualifying date for Band 1 and not the categories within Band 1 as the basis for housing offer. In effect this means there would be no advantage in having a medical over a welfare priority and no need to apply twice for priority.

### **Transfer Chain:**

This is a new proposal based on a suggestion in one of the sub-groups. It would allow for DCC to implement a number of moves in a chain to meet a number of needs and optimise the stock.

### **Young people exiting care.**

There is a new provision relating to this important category.

### **Retrospection:**

Any approved revisions to the scheme will **not** be applied retrospectively.

### **Conclusion:**

This important issue has been under consideration now for a long period with extensive input from a range of experts in this field

The proposed revised scheme (first draft) report was debated comprehensively at the March meeting of the Housing Strategic Policy Committee (SPC) and following this April SPC meeting it will then be submitted to the May meeting of Dublin City Council for approval or amendment by the Elected Members.

If approved, implementation of the new scheme will be initiated from June 2018.

**Brendan Kenny**  
**Deputy Chief Executive**  
**5<sup>th</sup> April 2018**

***N.B - This report should be read in conjunction with the Scheme of Letting Priorities Document (attached) where all the material revisions are outlined in yellow print.***