



Comhairle Cathrach  
Bhaile Átha Cliath  
Dublin City Council

**Report to Housing SPC**  
**Date: Thursday May 10<sup>th</sup> 2018**  
**Item No. 5**

*This report is similar to the reports already submitted to this Strategic Policy Committee (SPC) on the proposed Review of the Allocations Scheme. It forms the basis of the final report that it is being submitted for approval of Elected Members at the May (14<sup>th</sup>) meeting of the City Council. It does include an addendum document on the proposals around Homelessness arising from the Notice of Motion by Councillor Alison Gilliland which was agreed at the April SPC meeting.*

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

Section 22 of the Housing (Miscellaneous Provisions) Act 2009 requires housing authorities to make an allocations scheme determining 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. *Sub-Section 22 (9) allows for a review of the scheme by the Elected Members of the Local Authority, for its amendment or for a new scheme*

The setting of income levels on qualification for inclusion on the assessment of housing 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 and this review. 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 established some months ago and met on several occasions with additional feedback by email submissions. Elected members of the City Council 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 Housing and 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 the experienced research team which is part of the DRHE.

*We also received and considered representations on the review from Focus Ireland and we have discussed the issues raised with them on a number of occasions. We welcome their input.*

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 Housing 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 are much longer on the waiting lists)

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 changes is as follows:

1. Dublin City Council provided a higher than ever number of homeless households with social housing in 2017, including 130 Rapid Built homes provided specifically for homeless families and also 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. It is hoped to address this by directing more housing offers to those qualified for the longest period.
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 homeless families for social housing as in the current Scheme, it is with a view to encouraging shorter stays in emergency accommodation 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) Retaining their full length of time entitlement on the list when moving onto the Transfer List from a Homeless HAP Tenancy.
- d) Expanded place-finding service to assist families in emergency accommodation to find accommodation under the Housing Assistance Payment Scheme (HAP)
- e) *A much higher proportion of lettings to Band 1 Transfer HAP.***
- f) Continuing to set aside a small proportion of dwellings Under CAS and other housing development schemes 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) 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) Persons of 55 years and over in Section 10 funded services and on the Council's housing list will continue to be prioritised for Older Persons accommodation schemes.

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 gradually increasing the proportion of total lettings to families living in Homeless Hap tenancies (Band 1 Transfer List) while continuing to house those existing families with Homeless priority under the current scheme. Overall between these lettings to Homeless families and the Transfer lettings to Homeless HAP residents, Dublin City Council will maintain a target allocation of 21% of lettings to Homeless Families (including this year 2018.)*

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.

- *Please see addendum report at the end of this document for further information on the proposals on Homelessness.*

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

The issue of children in shared care arrangements being offered separate bedroom accommodation for those children has been considered. While acknowledging these children may have bedrooms allocated to them with their custodial parent all parties agreed that in principle it would be beneficial to provide for overnight access through the provision of extra bedrooms.

However, Dublin City Council is obliged to have regard to the housing available to it and the need to secure the most beneficial, effective and efficient use of such limited stock. Consideration must be given to children in overcrowding situations (Band 2) and families currently in emergency accommodation where children do not have any 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 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 list with a greater need, i.e. bedroom allocated to them, the following should apply:

- a) In general save for particular reasons a child assigned a bedroom with one parent will not be assigned a room with the other for as long as other families with children have no accommodation with separate children's bedrooms.
- b) 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. In determining the most appropriate form of social housing support for a household the council will consider the availability and best use of scarce resources.

*This particular issue received much attention and diverse views from members of the Strategic Policy Committee (SPC) and while we are not recommending any real change at this time, it is ultimately a matter for the elected members to decide upon.*

### **Older Persons:**

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

As an older person is defined in the Housing (Miscellaneous) Provisions) Act 2009 as "65 years or older" it is recommended, *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 (Housing Act) 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.

We will allow a transitional period of three months before implementing these particular provisions.

### **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 provision for an appeal of decisions.

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

It is proposed to use the qualifying date for Band 1 as the basis for housing offers. 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.

### **Other changes:**

A small number of other changes have been made largely relating to clarifying areas of existing policy e.g. succession of tenancy.

### **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 similarly at the April SPC meeting.

We will now submit this Revised Scheme of Letting Priorities to the Elected members of Dublin City Council for approval at its meeting scheduled for May the 14<sup>th</sup>.

**Brendan Kenny**  
**Deputy Chief Executive**  
**14<sup>th</sup> May 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.***

***See below for Addendum Report on Homelessness Issue.***

## Addendum to report, Proposals on Homeless Applicants.

The following Notice of Motion in the name of Councillor Alison Gilliland was submitted to the SPC in the course of the debate on the Review of the Scheme of Letting Priorities (Allocations Scheme)

*DCC notes the proposed changes in the Housing Allocations System, in particular the changes relating to removal of the Homeless Priority waiting list. DCC also notes the concerns regarding these changes expressed by key organisations working to support and evidence those experiencing homelessness. To ascertain that these proposed changes do not negatively impact on the experience and the opportunity to be housed of those families and individuals who find themselves homeless, DCC will carry out a full Impact Analysis on the proposed changes and present the results for consideration prior to any decision being taken to proceed with the proposed allocations.*

At the April meeting of the SPC it was agreed to proceed to the May City Council meeting to seek approval for the proposed revisions to the scheme but that management would further consider the contents of the Motion and prepare an addendum report for the Council meeting (14<sup>th</sup> May) which could be discussed at the next SPC meeting which will be held on Thursday 10<sup>th</sup> May.

Housing Management will ensure that an *impact Assessment* of the Changes relating to Homelessness will be carried out by Dublin City Council which will be initiated with effect from the date of implementation and will continue during the 12 months following implementation. This assessment will also examine the opportunities/or lack of for those Households in overcrowded situations. We will report on an ongoing basis to the Housing SPC on this impact assessment.

In 2017 the following represented the breakdown of overall lettings made by Dublin City Council:

Number to the Housing List – 1,107 70%  
 Number to the Transfer List - 479 30%

*Going forward in the context of the proposed changes in the review this breakdown will move to 50/50.*

The following is a further breakdown of lettings in 2017 as per each band:

**Housing List 1,107- (2017)**

To Band 1	725	66%
To Band 2	217	20%
To Band 3	165	14%

**Transfer List 479– (2017)**

To Band 1	210	44%
To Band 2	127	26%
To Band 3	142	30%

Going forward as the new scheme develops, the following shows in general terms how lettings will be divided up:

**New scheme Housing List- 50% of lettings**

To Band 1		40%
To Band 2		40%
To Band 3		20%
		100%

**New scheme Transfer List – 50% of lettings**

To Band 1		60%
To Band 2		20%
To Band 3		20%
Total		100%

*Band 1*

*All priority cases*

*Band 2*

*All overcrowded cases and applicants previously awarded medical or welfare points*

*Band 3*

*All remaining qualified households*

Currently there are 637 families (DCC applicants) in Homeless emergency accommodation and they will continue to be catered for under the provisions of the existing scheme.



There are over 2,500 Homeless HAP tenancies now in the Dublin area with 175 new tenancies being sourced in March which exceeds the monthly target of 120. While this important scheme is holding up so far, if this situation changes significantly i.e. if the numbers available decreases then we will need to review the Scheme of Letting Priorities accordingly.

*Until the families above (637) are accommodated in HAP or in social housing the 21% ring fenced lettings for Homeless families will be divided between this grouping and those in Homeless HAP.*

We will work closely with Landlords with a view to ensuring that vacancies that arise in Homeless Hap tenancies are backfilled by other Homeless families. This work will be done by our Prevention and Place-finding teams. The proposed new Allocations Scheme means that taking up a Homeless HAP tenancy is now a much stronger route into permanent social housing rather than an alternative to it.

There is of course a worry about insecurity in the private rented sector (even though HAP has been relatively stable in the Dublin area), and there is a need to give special attention to families who through no fault of their own find themselves evicted from a Homeless HAP tenancy. We will prioritise those families as much as possible through our Prevention and Place finding teams. There would be some merit in changing the term Homeless HAP in order to eliminate any stigma that might attach to it. This is something we will consider.

We recognise that some families in emergency accommodation are particularly vulnerable and not able to cope with the complexities of the Housing System and therefore we will deploy some of our Welfare support service to assess and support these families linking in with the Focus Ireland HAT team who already carry out an assessment of each Homeless family. Some such families could be designated as priority under Band 1 of the Housing List.

In relation to single Homeless Persons there were 165 lettings to this grouping in 2017 which represented 14% of Band 1 Housing List lettings. We do not anticipate any reduction in this number going forward indeed it needs to be increased and will do so mainly through the Housing First initiative. Single Homeless persons who are in Homeless HAP tenancies will be catered for under Band 1 Transfer List and others will catered for under Band 2 Housing List and Housing Band 1 if they have welfare or Medical priority.

The changes being made in the scheme if approved are in our view significant but fair and take account of the changed Housing environment in recent years (HAP etc) however we are of course operating within the reality of a very serious housing supply situation and any Allocations Scheme in that context is difficult.

It is essential that there is clear communication of these changes and the implications of them to the households concerned. We will work closely with existing Case Managers involved with families in emergency accommodation, with the Focus Ireland HAT team and other partner organisations in rolling out this necessary communication immediately following approval of the new scheme.

**10<sup>th</sup> May 2018**