

# UNDER OCCUPATION ASSISTANCE POLICY & ELIGIBILITY CRITERIA

## Glossary of Terms

- **'Debts'** include, but are not exclusive to, current rent arrears, former tenant arrears, outstanding re-chargeable repairs, current and former housing related service charge arrears, arrears on use and occupation charges (profits charges), Housing Benefit overpayments made to the tenant/landlord, and court costs. They also include Council Tax debts owed to Cambridge City Council.

## **1 STATEMENT ON POLICY**

- 1.1 Funding has been identified to help encourage tenants under occupying their existing council properties to move to smaller accommodation. The objective of this scheme is to offer an incentive to those tenants for whom moving may be prohibitive, whilst enabling Cambridge City Council to maximise opportunities to fully occupy its stock.
- 1.2 From the 1<sup>st</sup> October 2013, tenants downsizing as part of a mutual exchange are also eligible.
  - 1.3 The under occupation payment will be made in respect of mutual exchanges, but only to the Cambridge City Council tenant who is downsizing. All tenants taking part in the exchange must be moving to a property that is deemed to be the correct size for their needs.
  - 1.4 If discretion is exercised to allow a tenant to move to a property which is larger than their assessed needs, none of the parties involved in the mutual exchange would receive the under occupation incentive payment.

**2 KEY ISSUES FOR POLICY IMPLEMENTATION**

- 2.1 The Council's Lettings Policy outlines the way housing is allocated in the City. In respect of under-occupation, the City prioritises those households who are under-occupying by either 2 bedrooms or are looking to give up an adapted property they no longer need by awarding a Band A status, and those who are under-occupying by 1-bedroom a Band B status.
- 2.2 In order to qualify for the under-occupation scheme, applicants must be secure tenants of Cambridge City Council, and must have held their tenancy of the current property for at least two years. The full eligibility criteria are attached at Appendix A.
- 2.3 The scheme is marketed via publicity in Open Door, on the internet and in leaflets available in reception areas.
- 2.4 Applicants will be asked to complete an application form for the assistance scheme.
- 2.5 Applicants with any debt owed to the Council will have the amount owed deducted from the grant. Applicants with debts in excess of the eligible payment may be refused.
- 2.6 The removal grant payment of up to £800 (depending upon number of bedrooms) will be paid as part of the lettings process. When a Notice To Quit is received, and if the applicant then fails to move, repayment will be demanded in full within one month of the date of payment. The council will take legal action to recover the grant if not returned.
- 2.7 For a mutual exchange, the removal grant will be paid when the Deed of Assignment has been signed.
- 2.8 Applicants who are secure tenants are responsible for arranging their own removals, disconnections and reconnections etc. Cambridge City Council cannot recommend removal companies.

- 2.9 Mutual Exchange applicants will be responsible for arranging their own removals and electrical reconnections and disconnections; gas connections and re-connections are undertaken by the Council.
- 2.10 The final payment of £1,000 or more (minus any deductions) as a result of moving to smaller accommodation will be paid after the applicant has moved and the void inspection and repairs have been completed.
- 2.11 Payments will be made by cheque or BACS transfer and applicants should allow up to 28 days for receipt of final payment.
- 2.12 Applicants need to be eligible for the type of property they are moving to, in accordance with the Council's Letting's Policy and Cambridge City Council reserves the right to refuse applications where it is considered the applicant may be worsening their circumstances.
- 2.13 Applicants will be expected to use the Choice-Based Lettings system in order to find a suitable property to move to.

Policy written: October 2018

To be reviewed by: September 2020

**APPENDIX A – ELIGIBILITY CRITERIA FOR UNDER-OCCUPATION ASSISTANCE GRANT**

1. Applicants must be secure tenants of Cambridge City Council.
2. Applicants must have held their tenancy of the current property for at least 2 years.
3. Applicants with any debt owing to the Council that exceeds the maximum amount of grant they would be eligible for will not be eligible for the scheme.
4. Applicants who are bankrupt, or have a debt-repayment order in place will not be eligible for the scheme.
5. Applicants who have had debts written off in the last 5 years will not be eligible for the scheme.
6. Applicants must be eligible for the type of property they are moving to, in accordance with Cambridge City Council's Lettings Policy.
7. Applicants who have succeeded to the tenancy and are under-occupying the property are not eligible for the scheme.