

## Move or Stay Policy

### How to find the right answer to meet your housing need

This policy brings together all the options available to you to meet your housing need and is meant to be read in conjunction with the Housing Options – Self Assessment tool to help you understand what you can do. This policy includes West Kent’s Allocation Policy.

### How West Kent can help you to get the right home

West Kent provides homes for people who cannot meet their housing need through the market. We see our core purpose as being to help the many people for whom a good home (to rent or buy) is too expensive. There is no single solution for everyone and all the different ways that our existing residents, and those who are not yet our residents, can get the right home to meet their housing needs and aspirations are available here.

We do not have enough homes to meet all the demand, so we need to make sure we make **best use** of the stock that is available. West Kent also wishes to build vibrant mixed communities (where people of all ages and different economic status can live successfully together) and our policies support this.

There are limitations on how we can use our stock as we have to follow legislation and regulatory guidance from government and the Homes and Communities Agency (HCA). We also have a duty to co-operate with local authorities to offer accommodation to people with priority on their housing register and to assist them to discharge their functions, particularly to the homeless<sup>1</sup>.

Our Allocations Policy is stated in the *How West Kent decides who to give their homes to* section.

West Kent has homes in Kent only and our properties are allocated through [Kent Homechoice](#)

Some of our extra care homes for older people are let through local authority nominations panels, if you are interested in extra care please see our [website](#) or contact us for advice on 01732 749451.

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<sup>1</sup> Part VI s. 170 and Part VII s 213 of the Housing Act 1996

## How to find the right home for you

We want to make it easy for applicants, tenants and staff to get advice on all the different housing options available to help you find the right solution. On our website is a [self assessment tool](#) to help you decide on the right option for you.

West Kent will make best use of its homes by:

- Allocating empty homes quickly and efficiently to people on local authority housing registers.
- Allocating homes to people that are the right size and suitable for their needs
- Assisting tenants to find suitable homes to swap with other tenants.
- Helping people to move into shared ownership or private renting, where appropriate.
- Supporting people who are under-occupying their homes to move.
- Undertaking alterations to homes to meet the need where it is not possible to identify a suitable alternative move.
- Helping people to stay in their current homes.

The different options available to people are listed below; some of these have separate, more detailed guidance available.

### If you are not a West Kent tenant:

1. How to be housed by West Kent
2. How to get low cost home ownership
3. How to get accommodation if you are homeless.

### If you are already a West Kent tenant:

4. How to do a mutual exchange to swap your home with someone else.
5. How to be moved to another West Kent home (includes information about moving temporarily because your home is not fit to live in).
6. How to get help to down-size through our *Small is Beautiful* scheme.
7. How to take over the tenancy on the death of a tenant – known as succession.
8. How to get adaptations to your home due to disability.
9. How to get low cost home ownership
10. How to buy your current home.

If you are not sure what to do to help your housing situation then a *Housing Advice Service* is available.

The guidance and procedure notes may be changed from time to time as required to meet statutory or regulatory change.

## Housing Advice Service

We provide housing advice, over the telephone or in our offices, to anybody needing help to find the right housing.

We will need to ask you about your current housing, your financial situation, who lives with you, your previous housing and employment history to establish which area you have a local connection with and any special needs, such as medical condition to assist us to help you find the right housing option. This may be to:

- Register and seek a mutual exchange (home swap if already a social tenant).
- Make an application to the local authority to join the register via Kent Homechoice.
- Make an application for emergency/temporary housing direct to the appropriate local authority.
- Seek a home in the private rented sector (including referral to the local authority if you need help to get a rent deposit/bond and they run a scheme like this) where it is unlikely your need can be met by West Kent or where your household income exceeds the local authority financial limits for rented homes or £80,000 for shared ownership.
- Apply to [Help to Buy East & South East](#) website for shared ownership.
- Buy a home on the open housing market.
- Buy your current home.

To talk to someone about your housing situation please email [customerservices@wkha.org.uk](mailto:customerservices@wkha.org.uk)

## How can I get a West Kent home?

West Kent allocates its empty homes using nominations from the local authority housing registers. Each local authority has its own set of rules to decide who it will house and you will need to read those to decide on whether you want to apply for housing or not. All local authorities have different financial criteria to qualify for housing and will expect you to have a local connection with the area, such as already living or working in the borough. Using the [Kent Homechoice pre-assessment](#) tool you can check if you qualify for the local authority you wish to live in.

Even if you are **already a West Kent tenant**, if you want to transfer to another home owned by us or another housing association you will have to apply to the local authority. The exception to this is when you have to move temporarily from your West Kent home because it needs major repairs that cannot be completed while you are in the property, or because of an emergency, such as a fire. This is called a decant.

We have a mix of types of homes and tenancies available:

- Family housing for rent
- Retirement homes available to people over 55 years (known as Emerald homes)

- Retirement homes with on site care available to over 55 years (known as Emerald homes)
- Specialist housing for people with disabilities
- Shared ownership and leasehold homes (go to section on low cost home ownership as allocation for those is different)
- Temporary homes for people accepted by the local authority as homeless.

We will not house you (excluding those over 55 applying for Emerald Homes) if you own a property where there is sufficient equity to enable you to buy a suitable home. We are also unlikely to house you if you qualify for shared ownership or can afford and are able to access the private rented sector.

West Kent has homes within these boroughs in Kent:

- Sevenoaks – most of our homes are within this local authority area
- Medway
- Ashford
- Maidstone
- Tonbridge and Malling
- Tunbridge Wells
- Gravesham
- Dartford
- Swale
- Thanet
- Dover
- Canterbury (from 2018)

To apply you need to go to [Kent Homechoice](#) to complete an application form for the area you wish to live in.

West Kent will usually allocate a home to the person who has bid for it through Kent Homechoice, and who meets the eligibility criteria (shown in the advert) or who is in the priority band allocated to a property, in line with the local authority's allocations or lettings policy. There are times when we do not allocate homes through advert, for example where someone needs emergency housing, or where someone is very vulnerable we may directly let the home to them.

To ensure we make best use of our homes, once a nomination has been made by the local authority we will make the final decision to house someone by looking at our Allocations Policy, (described later) before any offer is made.

If we believe that the person put forward is not right for our home we will discuss this with

the local authority before making a final decision. This may include people who we believe cannot afford to regularly pay their rent based on completing our affordability calculator. You can check if you can afford the rent of a particular home you are interested in on our [website](#). Sometimes West Kent feels that due to a person's previous or current behaviour we will not house them; we call this exclusion (more details on this below).

## What do I do if I am homeless?

If you are or are likely to be made homeless you should approach the local authority you live in for help. They will decide if you are homeless and offer to help you find either a private rented home or may offer you temporary accommodation.

In Sevenoaks we also provide some temporary accommodation for homeless households, if Sevenoaks District Council nominates people to us.

We can offer advice if you are unsure whether you would be considered to be homeless or if you wish to look at other options to presenting as homeless.

## How does West Kent decide who to give their homes to?

To make best use of our homes, once a nomination has been made by the local authority, we will make the final decision to house someone by looking at our Allocations Policy, as described below, before any offer is made. There are times when we do not let our homes through Kent Homechoice, but this is in exceptional circumstances only.

West Kent aims to meet all relevant current regulatory guides from the [Homes and Communities Agency \(HCA\)](#) and government departments when allocating its homes.

## Our Allocations Policy

### Who do you house?

West Kent provides homes for people who cannot afford to buy or rent a home on the open market. We will check household income and savings and if you can afford to buy a shared ownership home under Homebuy, or can afford to rent in the private sector (based on the relevant local authority eligibility criteria) West Kent may not accept you for a rented home.

We will not house you if you own your home or if you have sufficient equity or capital to be able to buy a suitable home (lump sums received by a member of the Armed Forces as compensation for an injury or disability sustained on active service will be disregarded). In exceptional circumstances if you are a homeowner but you cannot buy a suitable alternative home we may consider (in partnership with the local authority) to accept you.

We may not house you or accept you for a particular home if having completed an affordability assessment it shows that you cannot afford to pay the rent on the home we are considering you for. We will give you advice on what action you can take to make sure you

can pay your rent on other homes.

If you are over the age of 55 then you can be given one of our Emerald homes even if you own your home. You will be expected to be able to pay the rent and to sell your home. You may have to be assessed for care and support needs to make sure that the home you are bidding for is suitable.

We will house you if you are employed by us or are closely connected<sup>2</sup> to a member of staff or a board member of West Kent, as long as you have declared this on your application and you have not tried to influence the decision of the allocations team.

In exceptional circumstances we can house you if you are aged between 16 and 18 years, where you have been accepted by the local authority. You must be able to show that you will be able to maintain a tenancy; that you can pay your rent and can look after your home. You must have a responsible adult who will sign and can hold the tenancy in trust for you, and we may need to ensure you are provided with support from another agency or family.

### **What size home can I have?**

To make best use of our stock, West Kent will always aim to put the right sized family in our homes, so we do not allow under or over occupation. This means your eligibility for different sized homes will normally be decided by using the criteria shown below. We will look at your family size and allocate one bedroom for:

- every adult couple (married or unmarried)
- any other adult aged 16 or over
- any two children of the same sex aged 16 or under
- any two children aged under ten
- any other child (other than a foster child or child whose main home is elsewhere)
- a non-resident carer (claimant/partner has disability and needs overnight care).

However, there will be times when we make exceptions to these rules, such as if we need to house someone urgently (for example fleeing violence), when we may need to allow someone to under-occupy by one bedroom or to house someone who would be over crowded. We may also allow under-occupation of one of our homes if there is no one of the correct family size on the list or requiring that home.

### **My children don't live with me full-time, how does that affect the size of home?**

If you have shared responsibility for your children, but they live with you less than half of the week they will not be considered to be part of your household. You will need to provide evidence to support your request for them to be considered as part of your household, when deciding on the size of home you are eligible for, such as your entitlement to child benefit. This is because we have many people looking for a larger property who have their children living with them on a full-time basis.

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<sup>2</sup> West Kent defines 'close connection' as including family members, such as spouse or partner and close relatives, as well as close friends and business colleagues'

### **My child hasn't been born yet, what size home can I have?**

If you or someone in your household is pregnant we will count the baby as needing a bedroom once you have provided us with a copy of the MAT B1 certificate (provided at twenty-sixth weeks of pregnancy). Once the child is born they will be expected to share with any other children in your family and only if that makes you overcrowded would you be eligible for a larger home.

### **My child cannot share with their brother or sister**

If your child has a condition or disability that means they need their own room you may be allocated to a larger home than other households. You will need to provide evidence from doctors and/or social services to assist us in making the right decision. You will need to be able to pay the increased rent through your income, or make sure the local authority will pay increased housing benefit. The council will assess this based on the information you provide.

### **I have to move urgently and have been given a management transfer, but there are no homes of the right size available**

West Kent understands that you need urgent rehousing and so we will be flexible in the size of home offered to achieve a quick move. This may mean that you can move to a house that is too small by one bedroom or is too big by one bedroom. To under-occupy a home you will have to co-operate with us to undertake an affordability assessment to make sure that you can pay the rent for that home.

### **I am disabled and may need adaptations to make the home suitable**

If you or someone in your household has a disability we will try to match you to one of our homes that already has suitable adaptations in place. We may not allocate you a home you have bid for if it is not suitable; cannot be adapted (within a reasonable timescale and cost) or where there is more suitable accommodation available. If we allocate you a new home that requires adaptations we will expect you to move into that home prior to the works being completed as they can take sometime to be designed and installed.

### **I have bid on a disabled adapted home but I am not disabled, can I have it?**

If you have bid for an adapted property we will only allocate it to you if there is no one requiring that adaptation competing with you and we have advertised several times. However, West Kent is unlikely to remove the facilities for disability.

### **I have bid for a home but there is a Sustainable Communities Plan (Local Lettings) plan. What does that mean?**

For new-build homes we normally agree with the local authority a plan to ensure best use of the homes that will help create a sustainable and mixed community. The plan will guide allocations so that we achieve:

- A mix of new and transferring tenants, that have different priority need.
- Sensible child density levels, through some under-occupation and to assist down-sizing.

- A mixed economy with both working and non working households.

This means that when we allocate the new homes we may not accept those with the highest priority only. Many of our rural homes have conditions known as a section 106 agreement that set out a different priority scheme for allocations, such as first priority to anyone currently living in the village. We will put the details in the advert, as it may mean that you are not eligible for the area.

### **If I have been nominated by the local authority, will I get the home?**

Once we have checked that you are eligible for the home and it is the right size and type of home for you and you have the highest priority of those who have bid for the home then normally we will allocate the home to you.

However there will be times when it is not possible to allocate the home you have bid on, to you, (we describe these processes in more detail later in this policy) these are:

- You have been excluded from being housed by West Kent.
- Information comes to light during the interview/assessment which means you do not meet the nominations agreement with the local authority, such as arrears, anti-social or criminal history.
- The home you bid on has been designated a sensitive let.
- The home is not considered suitable for you.
- You have had an affordability check, and it appears you cannot pay the rent on the property.

We will talk to you to explain why we are making these decisions and you can make an appeal if you feel the decision is not right.

If you cannot meet the affordability check we will offer advice on what to do. This may include advice on how you can increase your income through work, training or benefits.

All tenants are expected to pay at least one week's full rent at the viewing, or the property will go to the next bidder.

### **Why would a home need to be a sensitive let?**

In exceptional circumstances a decision is made that one of our homes must be sensitively let, for example where the previous tenant carried out serious anti-social behaviour, such as noise nuisance, violence, drug or alcohol related anti-social behaviour (ASB), harassment or intimidation. So if you have a history of ASB for example, we may decide that you are not suitable for that home.

### **Why would the home not be suitable for me, if it is the right size and type?**

If we believe that you are likely to be put at risk of harm if you moved to a particular location, for example you have been a victim of abuse, we may not allocate you a home in a

particular area for your own safety. If we believe that you may pose a risk to others, for example you have been responsible for anti-social behaviour in the past, we may not agree to you moving to a particular home, if neighbours are vulnerable or there is a sensitive let or local letting plan in place. If the police say an area is not suitable for you as they feel you pose a risk we will not allocate you a home there. For more information, please see our *Sex and Violent Offenders* policy.

### **Why does West Kent not advertise all its homes through Kent Homechoice?**

West Kent tries to advertise all homes through *Kent Homechoice*, however there are times when this is not appropriate and a decision to directly let a home will be made by the Allocations Manager. Examples of when this is appropriate include:

- Where a sole tenant goes to a nursing home permanently, leaving adults in property who would normally succeed the tenancy.
- Where a tenant passes away leaving a person(s) in the property who would not legally be entitled to succeed but the property meets their allocation size and they meet criteria to join the housing register and be awarded non succession priority. (See succession policy and discretion section).
- We have an applicant who has suffered domestic abuse, serious assault and needs to move urgently.
- Where we have to move someone in an emergency such as fire.
- Where homes have been advertised previously and received no bids or have had to be advertised more than once and no suitable applicant has bid.
- Where there are no eligible bids for adapted or extra care homes.
- Where a local authority asks us for a direct let, for example if someone is homeless.

Some of our Emerald homes where care services are provided (known as Extra Care), short-term supported housing or move-on housing that is provided for people with special housing needs, such as learning disabilities, mental health and for homeless people will be allocated based on nominations from agencies like social services.

### **I am a West Kent tenant and I need to move due to repairs to my home or because you want to demolish or sell it.**

West Kent will tell you if it needs to move you either on a temporary or permanent basis, because we have to repair your home and you cannot stay there while we do the work. This moving process is called a 'decant'.

There are other times when we may have to move people, for example if we need to demolish or sell your home, because the cost of repairing it is too high. In these cases the move will be permanent. If you need to move permanently we will assist you to register on Kent Homechoice, so you can see all homes available to you to in the district you live and can bid on the home of your choosing.

We recognise that having to move out of your home can be distressing and we will provide

help and advice throughout the process to assist and to reduce the disturbance and inconvenience to you.

We will discuss with you why we are making this decision and what you need from any new home (whether permanent or temporary) and will try to match your current housing need. There may be a need to compromise on size and type of home, if the move is temporary.

For all decants we will:

- Identify one member of staff to liaise with you during this process.
- Assist you to move and will arrange removals, redirection of post and other services (or we can assist you financially to meet these costs if you prefer to organise things yourself).
- Assist with the cost of moving if you are moved compulsorily and if you need to move permanently there is a home loss payment made at a set amount agreed by central government.
- Any payments made will be made promptly to reduce any financial burden on you.
- Try to ensure that where your current home has special adaptations to help your daily life that your new home is provided with similar adaptations.
- Provide support throughout the process, so if you have any questions just ask.
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## **Why West Kent might exclude you from being housed in one of our properties**

West Kent has the right to exclude people from its homes if they:

- Pose a threat or nuisance to other tenants, our staff or others in the community
- Owe us or other landlords money from a previous tenancy
- Have been evicted and/or taken to court previously by West Kent and have not changed their behaviour
- Have needs that are too high for our highest support level of Emerald and/or supported homes.

The full list of [reasons for exclusion](#) is on our website.

We will not exclude you without talking to you about your circumstances and why we are thinking of doing this, and giving you a chance to tell us why we should not. The decision is made by the Tenancy Panel and if we are thinking about excluding you we will give you full details of the process.

We will discuss with the police, social services or the probation service, if you have applied

for housing with us and we have concerns that you may pose a risk to the community, or having been a risk previously, are likely to re-offend.

If you are a former tenant of West Kent or a member of your household has contributed or caused your eviction for whatever reason, you will not be re-housed by West Kent for at least one year. If you can then show that you have taken action to sort out the issue that led to eviction, for example, paid any arrears, then your application can be considered. If you take no action to sort the issue then you will remain excluded.

If you owe West Kent, any other social or private landlord money from a current or previous tenancy, then we may exclude you, until those arrears are paid. This is because we need you to show that you take paying rent as a serious responsibility in keeping a home.

For our Emerald homes (homes for those over 55 years only) we may need to carry out an assessment to identify your level of care and support needs. If you are assessed as having a need that is too high for our Extra Care schemes, we may exclude you as we will not have any homes suitable for you.

### **How long will I be excluded for?**

You will be excluded for one year unless the panel believes the case should be reviewed sooner. At the end of the year, if you have not taken any action to sort out the issue the exclusion period can be extended for another year.

You do not have to wait the full year before asking us to reconsider your application if you have:

- Paid off any debt owed to West Kent.
- Kept your agreement with another landlord to pay off the money owed to them for a reasonable period.
- You have accepted help and support so that you can now show that you can live independently in a West Kent home.
- You are co-operating with the police, the council, social services and any other agency involved in your case, so you can show that you can maintain your tenancy correctly.
- You no longer pose a risk to West Kent staff, tenants and others in the community. However, where legal action has involved you or a member of their household, for example an injunction was granted, we will expect you to have shown for a minimum of 12 months that you (or other member of your household) have not caused any disruption to the community.

Before removing anyone from exclusion, West Kent will take up references and seek evidence from other agencies as required. We may consider offering a six month Assured Shorthold Tenancy before a starter tenancy to allow time for you to demonstrate that your behaviours have changed.

## **I am already a West Kent tenant – can I swap my home with another tenant?**

A mutual exchange allows one tenant to swap their home with another social tenant. It offers a quick and efficient way for you to move, enabling you to choose where you live and can mean that you avoid a long wait on the housing register. You can also move anywhere in the country. We must consent to your swap as there are some issues that may prevent you swapping and **you cannot move without our permission.**

If you want to arrange a mutual exchange because you are under-occupying your home and you are affected by the bedroom size criteria, we may be able to offer extra help to you towards the cost of the move or to assist you to clear your arrears so you can swap. This is a discretionary payment that you have to apply for (guidance on this is available on our website).

A mutual exchange is a legal transfer of your tenancy to someone else and you take on their tenancy, this means the conditions of your tenancy may change. Mutual exchanges are carried out by deed of assignment, except for exchanges that involve a tenant on a fixed term tenancy.

When you swap your home with someone else, you are swapping your tenancy agreements, so this may mean that you lose or gain some benefits to your current agreement, for example Right to Buy (RTB.) If you were previously a tenant of Sevenoaks District Council Assured (Protected) tenants and retained the RTB you may lose this right should you exchange with a Full Assured tenant, or for your family to succeed to your tenancy. You need to check what type of tenancy the other tenant has. For example if they have a five year fixed term tenancy you may take that over instead of a lifetime tenancy.

Once you have told us who you want to swap with, we will do our checks to make sure that we can agree and we have to give you our decision within 42 days.

You can register on the mutual exchange site within [Kent Homechoice](#) to find other people who want to swap their home, or contact us for help to do this.

### **What do I have to do to sort out a mutual exchange?**

Once you have found someone to swap with, please complete the online application form on our [website](#), giving us details of who you wish to swap with. Our mutual exchange policy explains how the process works. Once your application has been reviewed an Allocations Officer will contact you to discuss if your exchange can proceed or not. There are a number of reasons why your exchange may be refused and these are listed on our website.

## **I am a tenant of West Kent and would like to move to a smaller home – will you help me financially?**

The demand for family sized homes is greater than the supply we have and with changes to housing benefit and the introduction of the bedroom size criteria it is in our interest to provide additional support for tenants who wish to move due to under-occupation.

West Kent will provide support to arrange moves and financial incentives; these vary depending on the individual circumstances. This policy is known as *Small is Beautiful* and provides a menu of options people can pick to unlock the barriers to moving depending on their individual circumstances.

To qualify people must meet the following criteria:

- Be aged 50 years or over
- Have a fully assured tenancy
- Be living in a general needs home with two or more bedrooms
- Be willing and eligible to move into smaller sized accommodation meaning they release at least one bedroom or more
- Be moving to another West Kent home or a home with another Registered Social Landlord via Choice Based Lettings.

We will pay £500 for each bedroom released plus up to £1,000 towards the cost of moving (packing and/or removals) and other resettlement costs such as new carpets, curtains, redirection of mail, and disconnection/reconnection of household items for example.

You will have the option to choose from a lump sum payment (£1000 plus £500 for each bedroom released), or for West Kent to book and pay for their removals and/or pay for other resettlement costs as listed above up to the value of £1,000. Any payments are always offset against rent arrears or outstanding recharges where applicable. Once the funds available have been spent, the scheme is closed until the following budget year.

If you are interested in applying for the scheme, please contact us through the [website](#) or by ringing Customer Services on 01732 749400.

All applications will be considered in line with the Small is Beautiful criteria and the appropriate local authority allocation policy with regards to local connection and under occupancy priority as these will vary. You will need to register with the local authority for a move through [Kent Homechoice](#) for rehousing.

### **Discretionary payment to help you move?**

If you are under-occupying one of our homes and wish to move somewhere smaller by doing a mutual exchange, we may offer a grant of £500 to assist with moving expenses and/or clear outstanding rent arrears so that you can move. This is a one-off payment to you, or if you are in arrears to your rent account. However, the fund is limited, and we cannot help every case.

## Eligibility

To qualify for this payment you must:

- Be a tenant of West Kent.
- Hold an Assured Tenancy (includes Affordable Rent Tenancies but excludes Assured Shorthold Tenancies, Starter Tenancies or tenancies that have been demoted).
- Be moving by a mutual exchange (if moving with rent arrears be moving within West Kent stock), or through the local housing register.
- Demonstrate that you under-occupying i.e. your home is too large when measured against the *Department of Work & Pensions Housing Benefit Bedroom Standard* and the new home is the correct size.

If you are interested in applying for the scheme, please [contact us](#) or call Customer Services on 01732 749400.

## Can I take on the tenancy now the tenant has died?

If you are the partner (this means a husband, wife, or someone who lives with the tenant as their partner at the time of their death) or a relative of the tenant and you were living with them when they died you may be able to take over their tenancy. This is called 'succession'.

The rights of succession in this policy are granted under the Housing Act 1988 for assured tenants and by the Localism Act 2011 for fixed term tenants. The type of tenancy held by the deceased will affect who can take on the tenancy. Only **one** succession can be granted under the legislation.

If the tenant, or one party to a joint tenancy, has died you must tell us as soon as possible and provide us with a copy of the death certificate. We can help you to understand your legal position. You will have to provide proof to support your application to take on the tenancy. Under a succession the tenancy is transferred to the successor including any rights such as Right to Buy that are part of that tenancy. There is only one right of succession.

If the tenancy was an Assured (Protected) Tenancy then the following family members may be able to succeed:

- If you and the deceased were a couple and held the tenancy as joint tenants, then you automatically succeed to the tenancy.
- If the deceased was a sole tenancy and you were their partner, you automatically succeed to the tenancy.
- If there has been no previous succession then you may be able to take on the tenancy if you are:
  - the tenant's partner, parent, grandparent, child, stepchild, grandchild, brother, sister, uncle, aunt, nephew or niece (whether the relationship is by blood or by

marriage). If you are under 18 you may still be able to take on the tenancy although it may be held in trust for you by an adult.

**AND**

- You lived with the tenant for 12 months prior to death.
- You are entitled to the tenancy under the will/intestacy.
- You have served us with a notice of the claim to succeed within one month of the death.
- You have obtained probate and you ask for the tenancy transfer within six months of the death.

If the tenancy was an Assured (Full) one then if the deceased was a sole tenant who was not a successor, and you are their partner you can succeed as long as you were living in the home for 12 months prior to the death as your own or principle home.

If the tenancy was a fixed term one that is for a period greater than two years and you are the partner of the deceased tenant living with them when they died you, and only you, can succeed.

If the tenancy is a starter or Assured Shorthold tenancy (for a period less than two years) then there is no right of succession for anyone.

If you do not qualify to take on the tenancy we will provide advice and guidance to assist you to move as we will require vacant possession of the property to be given to us.

## **I have a disability and my home is no longer suitable for me, can you help?**

West Kent provides an *Enablement Service* for our tenants who need adaptations or a move due to disability, to get a home that is safe and that supports their independence.

If you need minor changes to your home, such as a grab rail or different taps, we can get these works done for you, just ring 01732 749400 or email [customerservices@wkha.org.uk](mailto:customerservices@wkha.org.uk)

If you need more major adaptations, for example a flush floor shower, you may be able to apply for a disabled facilities grant. West Kent may not always agree to do major changes to your home, as it is not always the best use of public funds or rent income to change a house, when it is possible to find a different home that is suitable for your disability. Our disability team will help you to find the right option and will support you to make the application for grant, if that is appropriate.

You will need to have an assessment by an occupational health worker to specify the adaptations you need and we can advise you how this can be arranged.

If you or a family member has a disability that requires additional space we will in the first instance look to move you to a larger home. If after a minimum of 12 months we have exhausted all opportunities to find a suitable alternative home we may in exceptional circumstances agree to extend your current home. Financial support through a Disabled

Facilities Grant (DFG) is likely to be available from the local authority to help meet some or all of the cost. Please contact us to get more information on how we can help you apply for this grant.

We have guidelines to help us make the decision, but as the grant may not cover the full cost of the extension it is entirely at West Kent's discretion to decide if it wishes to make funding available for work of this nature to its homes. There is **no right** for any resident to have an extension request granted. West Kent reserves the right to refuse any request having considered all the information available.

Not all our homes are suitable to extend and any application would depend on West Kent being able to get planning permission.

The rent charged for your home may increase and if you are not able to pay that higher rent we will not agree to your request. We will ask you to agree to vary your tenancy agreement (as a condition of undertaking the works) so that when or if you no longer require the extension/adaptations we can assist you to move or seek possession.

## **My home is too big, but I don't wish to move can I take in a lodger?**

If you have a spare bedroom you can take in a lodger. A lodger is someone who lives with you and shares your facilities, but cannot stop you from going into any of the rooms they use. You do not need our permission to do this. You cannot take in a lodger if you will make your home overcrowded, e.g. if you live in a two bed home and have one child you cannot have a lodger.

You **must not** sublet all of the property, so that you no longer live there. You cannot sublet if you will make your home overcrowded.

A subtenant is someone who has their own self-contained part of your home, usually shares your facilities, but can stop you going into their part of your home. See websites such as [spareroom.co.uk](http://spareroom.co.uk) and [gumtree.com](http://gumtree.com) for more information. It may affect your benefits, reducing some.

You need to be aware that under the Immigration Act 2014 you cannot rent or sub-let your home to people who do not qualify for the right to rent and would need to check the immigration status of anyone you wish to rent part of your home to. Guidance from the Government to help you can be found [here](#).

## **I would like to own my house, what is shared ownership?**

Shared ownership or low cost home ownership schemes mean you part buy and part rent a home, to help you get into home ownership, when you cannot afford to buy a property outright. You can buy a shared ownership property if your household income is less than £80,000. West Kent as well other housing associations provide shared ownership

opportunities.

If you are interested in finding out more please go [Help to Buy East & South East](#) for more information and to apply.

## **I would like to buy my current home**

There are three schemes enabling social housing tenants to buy the home they rent. If you are interested in any of these please email us at [customerservices@wkha.org.uk](mailto:customerservices@wkha.org.uk)

### **Right to Buy**

If you are a former tenant of Sevenoaks District Council, who transferred to the newly formed West Kent Housing Association on 23 March 1989, you have an assured/protected tenancy and so may have the 'Right to Buy' your home. This entitles you to a discount on the market value of the home if you buy it.

If you are an assured/secure tenant, you have the right to buy the freehold of a house or the leasehold if you live in a flat, provided:

- The home transferred from Sevenoaks District Council on the 23 March 1989
- West Kent owns the freehold
- It is your only and principal home.

### **Right to Acquire**

Some of our tenants have the right to acquire (buy) their home at a discount. If you live in a home we have bought or built using social housing grant after 1 April 1997 and you are an assured or secure tenant with a minimum tenancy period, you may have the Right to Acquire.

If you are an assured/secure tenant, you have the right to acquire the freehold of a house or the leasehold if you live in a flat, provided:

- The home was bought or built using social housing grant from 1 April 1997
- West Kent holds the freehold
- It is your only and principal home.