



REHOUSING POLICY

TENANTS AFFECTED BY

DEMOLITION/REDEVELOPMENT

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Executive Summary:
<p>This policy outlines our approach to the rehousing of tenants affected by regeneration and redevelopment schemes including demolition and major refurbishment. It also applies where a tenant needs to permanently move from their home due to a safety or property condition problem. The policy includes details of the support that can be expected, options for rehousing, and financial support or compensation that may be payable. The policy has been developed to ensure we take a consistent and fair approach when dealing with tenants who need to permanently move home due to these reasons.</p>

Policy Grouping/Directorate(s)	Resources	
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Notes:		

1 Introduction

- 1.1 This policy outlines Rochdale Boroughwide Housing's (RBH's) approach to the permanent rehousing of RBH tenants affected by redevelopment or demolition schemes and those that are required to permanently move from their home due to a safety or property condition issue.
- 1.2 In a redevelopment/regeneration scheme involving demolition, tenants will need permanent rehousing. This will be a choice-based process, where the tenant may choose permanent rehousing in another RBH home in the Borough, rehousing with another Registered Provider in or out of the Borough, a private rented home or purchase a home. The Rochdale Borough Council allocation policy and the Rochdale Boroughwide Housing allocations policy will also apply.
- 1.3 Although the aim is to rehouse tenants to a new permanent home in one move, depending on the nature of the specific scheme, it may be the case that for some residents the option to move away to temporary accommodation and then return to a new home in the redeveloped area best suits their needs. Options will be discussed with individual households at the start of their rehousing process and RBH will make the final decision on a case-by-case basis.
- 1.4 A temporary 'decant' involves a tenant moving from their current, permanent home to an alternative home usually during major refurbishment or repair of their current home. In such cases, the move to alternative accommodation would be temporary. This policy does not apply to these circumstances and any such cases will be covered under the Decant Policy.

2 Context

- 2.1 This policy has been developed to ensure RBH takes a consistent and fair approach when dealing with tenants who need to permanently move home as a result of regeneration, including demolition, or due to a safety or property condition issue.

3 Aims & Objectives

- 3.1 The aim of the policy is to outline the principles to be followed and applied when rehousing secure tenants who are required to permanently move home as a result of regeneration, including demolition, or due to a safety or property condition issue. The policy is to be used to ensure everyone understands RBH's obligations and commitments when dealing with such cases, and the support we will provide.
- 3.2 The policy fits with the mutual values of RBH:
 - Responsibility** – We take responsibility, where possible, for meeting the housing and support needs of tenants affected by the circumstances mentioned, and to fully support them through the moving process.
 - Equity** – This policy will help ensure a fair and consistent process to those who may be affected.

Democracy – This policy has been updated and applied to reflect the principles RBH will follow when dealing with cases of rehousing. This policy and approach to such cases has been developed by working with teams within the society who are directly involved in the process.

Pioneering – This policy supports a forward-thinking approach to working closely with tenants who are directly affected and placing the emphasis on their needs, choice, and aspirations.

Collaboration – We have worked and will continue to work with key stakeholders such as local members and established community groups. If appropriate, broader opinion will be sought in the early strategic stages, to inform and support initial thinking.

Feedback from tenants on previous schemes has shown that they appreciate being informed about proposals and timescales at an early stage in the process to help minimise stress. Once a more detailed scheme has been agreed, RBH will carry out personal one to one meetings with affected tenants and continue that on-going conversation and support with individual households, however they need supporting.

Communication and consultation methods will be wide ranging and could include: face to face, drop-in sessions, workshops, telephone, video conferencing and email, social media, project websites, letters and newsletters. English language limitations will always be identified, and translation or support services offered if needed.

4 Policy Statement

4.1 Discussion with tenants.

RBH will work with all tenants on a one-to-one basis to;

- Outline the proposals and how it will affect them
- Outline the timescales for the proposals
- Discuss the rehousing options available
- Discuss the rehousing needs of the affected permanent household for whom RBH accepts responsibility
- Discuss any home loss and relocation entitlements
- Discuss the support available, directly from RBH and from other organisations
- Provide a dedicated, named contact at RBH for all queries throughout the process

4.1.1 The range of rehousing options can include but are not limited to;

- Moving to and renting another RBH home in or near the current neighbourhood
- Moving to and renting another RBH home elsewhere in the Borough

- Move to a home (existing or newly built) owned by another Registered Provider in or near the neighbourhood
- Move to a home (existing or newly built) owned by another Registered Provider elsewhere in the Borough
- Buying a new home either outright or through an affordable home ownership scheme
- Renting a home from a private landlord
- Moving in with family or friends

4.2 **Priority Status**

RBH, under the Council's and its own Allocations Policy, will give priority rehousing status (Band A) to tenants whose homes are due to be demolished. This priority will be given at the time that RBH confirms demolition is to take place and that rehousing of tenants is to commence. This may be phased (i.e. blocks/streets at a time) or a whole scheme together.

4.3 **Offers**

Offers of accommodation will be made in accordance with the following principles;

- Where appropriate, offers will be made on a 'like for like' basis on property **type and number of bedrooms** (move from a bedsit/1 bedroom flat to a 1 bedroom flat, or from a 3 bedroom house to a 3 bedroom house). Where a tenant is currently under-occupying a home, advice will be given on whether downsizing to a smaller property may be of benefit, but this will be the tenant's choice.
- Consideration will be given to the proximity of schools attended by children in the household, location of employment, support networks and any other factors which may be specific to the household.
- Where a tenant has a home which has been adapted to meet their needs it will be ensured that any offer also meets these needs either by having the adaptation in place already or by RBH carrying out the work prior to the tenant moving in.
- RBH cannot guarantee that members of a household with a right to rehousing can be rehoused separately if the household wishes to no longer remain together.
- RBH will make reasonable endeavours to accommodate the wishes of tenants who are being rehoused and the process will be a choice based one.
- Tenants who have been rehoused with RBH will be offered matching terms, conditions, and security of tenure, of their current tenancy.

4.4 Refusals, Appeals and Review

4.4.1 RBH aims to ensure that we reach agreement on offers of suitable alternative accommodation so that the rehousing programme proceeds smoothly. This will be achieved through timely and sensitive dialogue with tenants so that; offers are appropriate, adequate support is given throughout the process, it is established if additional support is needed, and financial assistance is provided at key stages to assist with the costs of moving.

4.4.2 If three refusals do occur, a review considering the reasonableness and suitability of the offers will be carried out by a Director within RBH. Following the outcome of the review RBH will consider the need to take possession proceedings under appropriate grounds. This is as a last resort and would not usually be considered until three suitable offers have been made.

4.5 Remaining or returning to the area

4.5.1 Tenants who wish to remain in the neighbourhood will be rehoused there if suitable homes are available. This may be an RBH home or a home owned by another Registered Provider.

4.5.2 Tenants wishing to remain in the neighbourhood will be advised to indicate this when they complete their rehousing application and within their one-to-one conversations with RBH. The suitability of tenants, who are subject to legal proceedings on the grounds of nuisance or anti-social behaviour, to remain in the neighbourhood will be assessed.

4.5.3 If it is not possible to offer a suitable home in the area at the point when the tenant needs to be rehoused, due to a lack of availability, RBH may offer the tenant the option to be housed in temporary accommodation elsewhere and to return to the area when a suitable property becomes available. This offer of a permanent home may be in the form of an existing or newly built home, whichever becomes available first. Timescales relating to the offer of the homes are at the discretion of RBH. Any tenants that do return to the area will be rehoused according to their needs. They will not receive any additional financial payment to support this secondary move.

4.5.4 Each redevelopment/demolition programme is different, and there may need to be specific policies or conditions developed for offers to tenants returning to homes in the area, if this is something which is offered by RBH as an option for that scheme. In these circumstances the tenants will be offered the 'option to return' and they may be rehoused temporarily until a suitable home is available. Where this occurs, it will be by exception and first preference will always be to rehouse tenants permanently. Decisions will be made on a case-by-case basis, based on the availability of homes and the household's specific needs and rehousing aspirations.

4.6 Support for vulnerable people

4.6.1 RBH recognises that moving home can be especially difficult for certain tenants and residents. RBH will prepare for rehousing by working with those affected to identify who needs extra help and support as part of the move. A dedicated

named point of contact within RBH will be provided to tenants to ensure continuity in support. Support will be tailored to meet the tenants specific needs.

4.6.2 RBH will work closely with care and support services, whether existing or via new referrals, to identify and address unmet needs among tenants; to find suitable alternative accommodation that meets any special needs of tenants; and to provide support throughout the rehousing process including settling into a new home/neighbourhood.

4.6.3 Where possible, RBH will endeavour to offer a single move to older tenants or those suffering from ill health who wish to stay within or near the redevelopment area.

4.7 **Help with the cost of rehousing**

This section outlines how RBH will financially support tenants who are required to leave their home. Tenants will receive the following types of assistance;

- Statutory Home Loss Payment
- Disturbance Payment
- Contribution to Removal Costs

4.7.1 **Home Loss Payments**

4.7.1.1 Home Loss payments are designed to compensate certain categories of occupiers who are required to leave their homes permanently because of redevelopment works, including demolition. It is a payment in recognition of the disruption of losing what is often a long-standing home.

4.7.1.2 The statutory background to Home Loss payment is set out in the Land Compensation Act 1973 as amended by the Planning and Compensation Act 1991. The amount of Home Loss Payment payable to a person is set out at section 30 of the Land Compensation Act 1973 (sums are regularly reviewed and current amounts are set out in the Home Loss Payments (Prescribed Amounts) (England) Regulations 2023). The amount paid will be in accordance with the regulations in effect at that time; as of 1st October 2023, the minimum amount is £8,100.

4.7.1.3 Tenants will receive one payment. If there are joint tenants, the sum is divided proportionally between all joint tenants.

4.7.1.4 In order to be entitled to Home Loss payment the following must apply;

- A person must be displaced from his or her home permanently.
- The person must have been in occupation of their home or a substantial part of it, as his or her only or main residence throughout the period of one year ending with the displacement, and have been a tenant, long leaseholder or in occupation under a contract of employment.

4.7.1.5 For tenants who have been in occupation of their home for less than one year, RBH may make a discretionary Home Loss payment. If offered, this will be

calculated at a rate of one twelfth of the statutory rate for each completed month that the tenant has lived in the home.

4.7.1.6 The date that a tenant becomes eligible for Home Loss payments is when RBH Board have approved the demolition proposals, and we have confirmed that the rehousing has commenced for that home. RBH may agree to pay the Home Loss payment before rehousing has commenced for a home or phase and any decision will be made on a case by case basis. The final decision will rest with RBH. The report to Board will include details of numbers of households entitled to payments, and a calculation of the expected total payments for the redevelopment scheme. Funder consents will be pursued and any relevant information supplied.

4.7.1.7 Payment of Home Loss will be processed on the date that keys are returned for the home the tenant is leaving, following the termination of the original tenancy.

4.7.1.8 RBH will deduct any rent or recharge arrears from the Home Loss payment. The amount of the deduction will be the debt owed to RBH, as at the date of termination of their original tenancy. If subsequent payments are made into the account, for example backdated housing benefit, which take the account into credit after the tenancy has ended then this credit would be transferred to their new tenancy or refunded to the tenant.

4.7.2 **Disturbance Payments**

4.7.2.1 Disturbance Payments aim to compensate displaced occupiers for the actual cost of moving from their homes.

Disturbance Payments are payments towards expenses reasonably incurred during the move and RBH makes them on a fixed rate basis, like Home Loss Payments. The current rate RBH pays for tenanted properties is £500.

4.7.2.2 Tenants may be entitled to both Home Loss Payments and Disturbance Payments. If they do not qualify for Home Loss Payments, due to the length of tenancy for example, they may still be entitled to Disturbance Payments.

4.7.2.3 To qualify for Disturbance Payments the person must;

- Have a legal interest in their home at the 'relevant date' regardless of the length of their tenancy.
- Be displaced from his or her home permanently.

4.7.3 **Removal Costs**

Removal costs can be claimed as follows;

Either

RBH will arrange the removals and will pay the removal company direct, up to value of £250. RBH cannot accept responsibility for service levels of the selected removal company, although the firm will be agreed with the tenant before arranging.

Or

A £250 bank transfer will be made to enable the person moving to arrange their own removals.

- 4.7.4 All payments will be made via BACS Transfer to a bank account nominated by the tenancy holders. Signed confirmation of this will be required by way of a completed acceptance form and saved with the house file. The bank account details, and signed acceptance forms can be completed in person or electronically via DocuSign.

5 Monitoring

- 5.1 Regular follow up is done with tenants who go through the process of moving and are affected by this policy, for both monitoring and learning opportunities. RBH follows up every move due to demolition and development with a satisfaction survey to measure what worked well and what didn't. Any learning is shared with other teams involved in the process and changes to the policy and process are made, where needed, to improve its application. Data on the rehousing of tenants is reported to RBH Board at every meeting via the Development and Regeneration update report.

6 Review

- 6.1 All RBH strategies, policies, service standards and procedures are reviewed on a regular basis to ensure that they are 'fit for purpose' and comply with all relevant legislation and statutory regulations.
- 6.2 This policy will go through the full policy approval process every three years and will undergo a desktop review annually. This is to ensure that it is fit for purpose and complies with all relevant and statutory regulations.

7 Links with Other RBH Documents

- 7.1 This policy links to the following policies and strategies:
- RBC Allocations Policy
 - RBH Lettings Policy
 - Decant Policy