

1. Council housing

There are two main ways in which people in housing need may be housed in one of our properties, either by:

- joining our housing waiting list and then waiting for the offer of a permanent council house; or
- being officially assessed and declared as 'homeless' as defined by Part II of the Housing (Scotland) Act 1987 and amended by the Housing (Scotland) Act 2001 and the Homelessness etc (Scotland) Act 2003 in which case we have to make either temporary and/or permanent accommodation available.

As at April 2011, we had a waiting list of 2897, this includes general needs, transfer and homeless applicants. During 2010/11, 662 households approached us for assistance in terms of homelessness. Over the last financial year we offered permanent tenancies to 555 applicants (including temporarily housed homeless persons) but only 361 tenancies were created.

Since there is such high demand for our properties, it is important to know how we assess someone's housing needs and why we give greater priority to some needs than to others.

1.1 Housing for homeless people

Homelessness is something that happens to many ordinary people all over Britain. Society has for many years accepted that it must find accommodation for those people who become 'homeless', as defined by Acts of Parliament.

We received 662 homeless applications during 2010/11 but only 287 applicants were awarded homeless priority. In the same period, we housed 183 homeless applicants and 74 were housed through nomination to other housing associations in the area. The most common reason for applying in 2010/11 was a result of a non-violent dispute in the household (25.7%) or because family/friends were no longer able/willing to accommodate them (21.2%).

The majority of homeless applications in 2010/11 were received from single (69.3%) or one-parent families (22.1%) but homelessness can affect any type of household. Vulnerable homeless applicants may well require additional support to help them through these difficult periods in their lives and our staff work closely with other Council staff and all the relevant local agencies to ensure that such support is provided.

1.1.1 What to do if you are homeless or at risk of homelessness

Our Housing Options Team will give free advice and information to anyone with a housing problem. We may contact you for further information or ask you to attend

an interview to discuss your situation. You may also be asked to fill in a housing application if you do not already have a current one registered with us.

We also have a Tenancy Support Team who will offer support to those living in their own accommodation but who may be at risk of homelessness and a Transitional Support Team who will work with those assessed as homeless but require some support.

If you are homeless, or at risk of homelessness you should get in touch with us as soon as possible.

Housing Options Team
The Moray Council
Council Office
High Street
ELGIN
IV30 1BX

Phone: 0300 1234566
E-mail: housing@moray.gov.uk

However, if you become homeless and it is after 5pm at night or the weekend (or public holidays), you should phone our emergency service on **08457 565656**.

You can also contact any of the other agencies offering housing information and advice (see Appendix B for contact details).

1.1.2 Our legal duties to homeless households

Local authorities have a legal duty to help homeless people - firstly by interviewing them and assessing their housing situation and, secondly, by offering them temporary and/or permanent accommodation - provided their circumstances warrant it, according to criteria laid down in Part II of the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001 and the Homelessness etc (Scotland) Act 2003.

The four main criteria, which must be satisfied by applicants, are that they:

- a) are homeless;
- b) are in priority need;
- c) are not intentionally homeless; and
- d) have a local connection to the area.

Detailed guidance is contained in the updated 'Code of Guidance on Homelessness', published in May 2005. This code provides guidance to authorities as how to

interpret each of these criteria. Copies can be downloaded from the Scottish Government website at:
www.scotland.gov.uk/Publications/2005/05/31133334/33366

Key points to note about each of the criteria are as follows:

a) Homelessness

This means you, and anyone who would reasonably be expected to live with you, falls within at least one of the following categories:

- have no accommodation in the UK or elsewhere which they are entitled or permitted to occupy;
- will be homeless within two months;
- it is unreasonable to expect you to go on living in your present home for whatever reason; or
- live in a caravan or boat and they have nowhere to pitch or moor it.

b) Priority need

You, and anyone who may reasonably be expected to live with you, have a priority need if you are:

- pregnant;
- have dependent children;
- homeless because of an emergency such as a flood, fire or other disaster;
- vulnerable because of old age, mental illness, personality disorder, learning or physical disability, chronic ill-health or have recently suffered a miscarriage or abortion;
- vulnerable because of leaving an institution, such as a hospital, prison or any part of the regular armed forces;
- a young person aged 16 or 17;
- a young person aged under 21 and used to be in care
- a young person aged between 18 and 20 and living in circumstances which runs the risk of sexual/financial exploitation or involvement in serious misuse of alcohol, drugs or any volatile substance;
- at risk of harassment because of disability, age, sexual orientation, religion, race, ethnic or national origins; or
- at risk of domestic abuse;

Legislation introduced by the Scottish Parliament in 2003 but not yet implemented will change the homeless assessment process and lead to the abolition of priority need. This is known as the '2012 commitment' and means that by 2012 all households found to be unintentionally homeless will have a right to a permanent home.

c) Intentionality

We must satisfy ourselves that you did not deliberately do something or fail to do something, which resulted in homelessness (for example, refusing to pay rent for no proper reason).

If you are found to be intentionally homeless but not in priority need, we can offer advice and assistance to help you find accommodation. You are also entitled to temporary accommodation to provide a reasonable opportunity for your household to access alternative accommodation.

d) Local connection

As a general rule you must have a local connection with the Moray area. Exceptions will be made in special circumstances for example, if you are fleeing domestic violence or have no local connection with anywhere in the United Kingdom.

1.1.3 Homeless persons' assessment

We aim to reach a final decision on your homeless application from a homeless person within 28 days. We have a duty to provide you with temporary accommodation, if required, pending a decision on your application.

The assessment period for applications allows us enough time to make the necessary enquiries to verify your homeless circumstances. We will keep you informed on the progress being made with the assessment of your application.

1.1.4 Review of a homeless decision

You have 21 days from the date you receive our homeless decision letter to ask us to review our decision. If you want us to review our decision, you should write to us.

Housing Operations Manager
The Moray Council
PO Box 6760
Elgin
IV30 9BX

The letter asking for a review should outline as much detail as possible why you believe the decision is wrong.

A senior officer who was not involved in making the original decision on your homeless application will review our decision. If you want to discuss the review with the senior officer in person, you should state this in their letter. You have the right to be accompanied by a friend or adviser at the meeting.

1.1.5 Temporary accommodation

We use different types of temporary accommodation, with or without support, to house homeless applicants. These include hostels, furnished dwellings, private sector accommodation, and in exceptional circumstances bed and breakfast accommodation. Referrals are also made to Moray Women's Aid refuge in Elgin.

If required, temporary accommodation is provided until a decision is reached on your application. Thereafter only those who fulfil all the criteria (see section 1.1.2) will continue to be provided with temporary accommodation pending an offer of permanent housing. The total length of stay of households leaving temporary accommodation during 2010/11 was an average of 179 days, although in some cases this may be longer. For households that are not going to be offered permanent accommodation, temporary accommodation and advice and assistance will be offered for a reasonable period to allow them to secure alternative accommodation.

1.1.6 Offers of permanent accommodation

We will offer accommodation, or may refer you to a housing association or other landlord for rehousing. It may not always be possible to house you in the area of your choice. We will make two reasonable offers of permanent accommodation. If both offers are refused you will be asked to leave the temporary accommodation provided and expected to secure your own accommodation, as we will have fulfilled our duty to you.

1.2 Council housing supply and demand

As at April 2011, we had 5822 houses and flats of which 5673 are general needs properties and 149 are sheltered housing units, designed for people who require warden support. There is more information on sheltered housing in section 1.5.

Like other local authorities, we are building more social rented housing. However, our general needs housing stock has been reduced by the Right to Buy scheme. Exactly 35 of our properties were sold in 2010/11 to our tenants under Right to Buy and approximately 54.6% of our stock has been sold under this scheme since it started in 1981. Despite this we remain the biggest local provider of social rented housing in Moray.

1.2.1 Local area offices and local housing market areas

Area Housing Offices

We have four area housing offices that cover settlements within Moray.

Area Office	Areas Covering
Buckie	Arradoul, Buckie, Buckpool, Connage, Cullen, Deskford, Drybridge, Enzie, Findochty, Fochabers, Garmouth, Lhanbryde, Lintmill, Mosstodloch, Portessie, Portgordon, Portknockie, Rathven, Urquhart
Elgin	Alves, Birnie, Burghead, Clackmarras, Duffus, Elgin, Findhorn, Hopeman, Kinloss, Lossiemouth, Miltonduff, Rafford, Rothes, Spynie
Forres	Brodie, Dallas, Dunphail, Dyke, Forres
Keith	Aberlour, Archiestown, Craigellachie, Drummuir, Dufftown, Dundurcas, Fife-Keith, Glenallachie, Glenlivet, Grange, Keith, Knock, Knockando, Marypark, Mulben, Newmill, Rothiemay, Tomintoul, Tomnavoulin

Local Housing Market Areas

Local housing market areas (LHMA's) are intended to represent geographical housing search areas within Moray.

LHMA	Search Area	Locations
Buckie	Arradoul, Buckie, Buckpool, Connage, Cullen, Deskford, Drybridge, Enzie, Findochty, Lintmill, Portessie, Portgordon, Portknockie, Rathven	
Cairngorms	Tomintoul, Tomnavoulin	
Elgin	Birnie, Burghead, Clackmarras, Duffus, Elgin, Fochabers, Garmouth, Hopeman, Lhanbryde, Lossiemouth, Miltonbrae, Mosstodloch, Urquhart	
Forres	Alves, Brodie, Dallas, Dunphail, Dyke, Findhorn, Forres, Half Davoch, Kinloss, Rafford	
Keith	Drummuir, Grange, Keith, Knock, Mulben, Newmill, Rothiemay	
Speyside	Aberlour, Archiestown, Craigellachie, Dufftown, Glenallachie, Glenlivet, Knockando, Marypark, Rothes	

1.2.2 Location and size of our housing stock

Our properties are well distributed throughout Moray but the main concentrations are in Elgin (29.9%), Buckie (12.9%), Forres (12.4%), Keith (8.4%) and Lossiemouth (7.4%). Most of our properties have two bedrooms (48.9%) but we also have a number of one bedroom (27.5%) and 3 bedroom properties (21.4%).

The tables below show a detailed breakdown of location and size of our general needs and sheltered housing as at 31 March 2011.

Buckie Local Housing Market Area

Letting area	0 Bed	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	6 Bed	7 Bed	Total
Arradoul			2						2
Buckie - Buckpool		82	78	72	1				233
Buckie - Central	10	106	287	109	4		1		517
Connage				2					2
Cullen		25	49	31	1				106
Deskford			1	4					5
Drybridge				3	1				4
Enzie		1							1
Findochty		8	46	18		1			73
Lintmill		2	8	3					13
Portessie		10	17	20					47
Portgordon	1	38	26	8					73
Portknockie		7	29	37					73
Rathven		1	3	4					8
Total	11	280	546	311	7	1	1	0	1157

Cairngorms Local Housing Market Area

Letting area	0 Bed	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	6 Bed	7 Bed	Total
Tomintoul		5	2	10					17
Tomnavoulin			4	3					7
Total	0	5	6	13	0	0	0	0	24

Elgin Local Housing Market Area

Letting area	0 Bed	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	6 Bed	7 Bed	Total
Birnie				1					1
Burghead		16	44	17	5			1	83
Clackmarras				3					3
Duffus				4					4
Elgin - Bilbohall		89	71	27	7	1			195
Elgin - Bishopmill		130	240	58	9				437
Elgin - Central		210	93	20					323
Elgin - Kingsmills		10	130	3					143
Elgin - Linkwood		16	24	6	2				48
Elgin - New Elgin		109	221	109	15				454
Elgin - S Lesmurdie		28	34	80					142
Fochabers		33	80	22					135
Garmouth		6	9	7					22
Hopeman		2	13	16					31
Lhanbryde		56	174	67	3				300
Lossiemouth		103	234	81	14				432
Miltonbrae				2					2
Mosstodloch		27	43	19					89
Urquhart			1	7					8
Total	0	835	1411	549	55	1	0	1	2852

Forres Local Housing Market Area

Letting area	0 Bed	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	6 Bed	7 Bed	Total
Alves		2	14	6					22
Brodie				1					1
Dallas			3						3
Dunphail			1						1
Dyke		1	3	3					7
Findhorn		1	5	7					13
Forres	17	205	387	98	13				720
Half Davoch			1						1
Kinloss		2	7	5					14
Rafford				3					3
Total	17	211	421	123	13	0	0	0	785

Keith Local Housing Market Area

Letting area	0 Bed	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	6 Bed	7 Bed	Total
Drummuir		2	6	9					17
Grange				5					5
Keith - Central	11	80	160	109	6				366
Keith - Fife Keith	1	45	59	16					121
Knock				2					2
Mulben				4					4
Newmill		7	7	10					24
Rothiemy		4	2	10					16
Total	12	138	234	165	6	0	0	0	555

Speyside Local Housing Market Area

Letting area	0 Bed	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	6 Bed	7 Bed	Total
Aberlour		12	36	7	1				56
Archiestown			9	1					10
Craigellachie		20	14	16					50
Dufftown		43	83	22					148
Glenallachie				1					1
Glenlivet				2					2
Knockando				2					2
Marypark		2	2	3					7
Roths		57	84	31		1			173
Total	0	134	228	85	1	1	0	0	449

1.2.3 Our new build housing programme

In addition to our current stock, we also have a new build housing programme. The table below details our new build housing programme (at July 2011) by local housing market area (LHMA) that should be completed in the next few years.

Property Type	completion expected during 2010/11/12			
	Buckie LHMA	Elgin LHMA	Keith LHMA	Total
1 bed flats (4 in a block)	8	36	8	52
2 bed bungalow		4		4
2 bed wheelchair	2	2	2	6
3 bed bungalow		6		6
3 bed general needs	12	24		36
3 bed wheelchair			2	2
4 bed general needs	6	6	2	14
5 bed general needs	2	2		4
Total	30	80	14	124

1.2.4 Demand for our housing

As at 31 March 2011, the total applicants on our housing list were made up of the following categories:

Housing Lists	Number
Homeless Priority List	130
Housing Waiting List	2325
Transfer List	442
Total	2897

Your chance of being offered one of our properties is influenced by:

- How often a vacancy occurs in any of your choices of letting area;
- The number of points the application has been awarded and the type of property required;
- What position this places your application in on the area of choice list in comparison with other applications.

There are differing demands for housing. In some areas there is a lengthy waiting list with few properties being allocated. However, in other areas there is some limited demand and therefore applicants can qualify quickly for an allocation.

Our point's assessment system is used to decide which applicant on the homeless priority list, housing waiting list or transfer list should be offered the tenancy of any

vacant property. The more points you have, the greater your chance of being offered a council house. However, if you are on our homeless priority list you will not receive points, as you will be allocated permanent housing by the date you were added to the list.

The following tables show the number of applicants on each of our lists at 31 March 2011 that were waiting to be housed in one of our properties by where they would most prefer to live and by the size of property needed.

Homeless priority list by first area preference and bedrooms required (31 March 2011)

First area preference	Number of bedrooms required				All
	1	2	3	4	
Elgin	44	17	8	1	70
Lossiemouth	9	3	1	1	14
Forres	11	1		1	13
Keith	7	1	1	1	10
Buckie	6	2			8
Fochabers	4				4
Lhanbryde			2	1	3
Aberlour	1				1
Burghead				1	1
Findhorn	1				1
Findochty		1			1
Garmouth	1				1
Kinloss	1				1
Knockando			1		1
Urquhart			1		1
Total	85	25	14	6	130

Housing waiting list by first area preference and bedrooms required (31 March 2011)

First area preference	Number of bedrooms required						All
	1	2	3	4	5	6	
Elgin	508	237	111	24	5		885
Forres	196	92	47	10	4	1	350
Buckie	164	74	20	12	1	1	272
Lossiemouth	89	41	30	6	2	1	169
Keith	83	31	12	2	3		131
Fochabers	35	15	8	2			60
Aberlour	27	15	4	1	1		48
Cullen	27	12	5	2			46
Findhorn	22	13	3	1			39
Burghead	17	12	2	4	1		36
Dufftown	21	8	4		1		34
Portknockie	9	10	6				25

First area preference	Number of bedrooms required						All
	1	2	3	4	5	6	
Lhanbryde	14	5	4				23
Roths	15	4	2	1			22
Hopeman	11	6	2	1	1		21
Kinloss	4	6	5	2			17
Portessie	8	6	1				15
Mosstodloch	6	5	2	1			14
Portgordon	6	5	2		1		14
Findochty	9	1	2				12
Garmouth	5	5	1	1			12
Tomintoul	9	1					10
Craigellachie	6	3					9
Newmill	2	4					6
Alves	4	1					5
Lintmill	4		1				5
Rothiemay	2	3					5
Duffus	2	1	1				4
Urquhart	3		1				4
Archiestown	1	1	1				3
Deskford	1	2					3
Dyke	1		2				3
Arradoul	1		1				2
Dallas	1	1					2
Dunphail	1			1			2
Miltonbrae	1		1				2
Rathven	2						2
Tomnavoulin	1	1					2
Birnie		1					1
Brodie		1					1
Drummuir		1					1
Drybridge	1						1
Glenlivet	1						1
Grange			1				1
Half Davoch	1						1
Knock	1						1
Marypark	1						1
Mulben		1					1
Rafford		1					1
Total	1323	626	282	71	20	3	2325

Transfer list by first area preference and bedrooms required (31 March 2011)

First area preference	Number of bedrooms required						All
	1	2	3	4	5	6	
Elgin	69	52	47	11	3		182
Forres	26	20	13	3	1		63
Buckie	16	19	15	7	2	1	60
Keith	11	2	12	2	2		29
Lossiemouth	4	9	6	1			20
Fochabers	6	3	5	3			17
Lhanbryde	3	4	2	1			10
Cullen	7		1				8
Rothes	2	3	1	2			8
Dufftown	1	3	1	1			6
Portknockie	1	3	1	1			6
Mosstodloch	4			1			5
Aberlour		2	2				4
Burghead	1	1	1	1			4
Findochty	1	1	2				4
Craigellachie	2		1				3
Portessie	1	1	1				3
Kinloss	1	1					2
Portgordon	1	1					2
Alves		1					1
Archiestown				1			1
Findhorn	1						1
Garmouth	1						1
Half Davoch		1					1
Mulben		1					1
Total	159	128	111	35	8	1	442

1.2.5 Turnover of our properties

How long you have to wait for a property will also depend on the number of properties becoming available to let. The following table shows the number of new tenancies created during 2010/11.

Our general needs and sheltered housing lets by local housing market area (LHMA) during 2010/11

LHMA	Letting area	0 bed	1 bed	2 bed	3 bed	4 bed	Total
Buckie	Buckie - Buckpool		5	1	1		7
	Buckie - Central		12	19	3		34
	Cullen			8			8
	Deskford				2		2
	Findochty			1	2		3
	Lintmill			1			1
	Portessie		1		2		3
	Portgordon		3	3			6
	Portknockie			3	3		6
Elgin	Burghead		1	2			3
	Elgin - Bilbohall		14				14
	Elgin - Bishopmill		16	6	2		24
	Elgin - Central		13	9	1		23
	Elgin - Kingsmills		1	11			12
	Elgin - Linkwood ¹		15	24	6	2	47
	Elgin - New Elgin		6	8	2	1	17
	Elgin - S Lesmurdie		3		8		11
	Fochabers		1	3			4
	Garmouth		2	1			3
	Hopeman			1			1
	Lhanbryde		5	13	3		21
	Lossiemouth		11	6	2		19
	Mosstodloch		2		1		3
Forres	Dunphail			1			1
	Forres	1	21	17			39
Keith	Drummuir				1		1
	Keith - Central		5	6	1		12
	Keith - Fife Keith		3	5			8
	Newmill			1			1
	Rothiemay		1				1
Speyside	Aberlour		1	2			3
	Craigellachie		1				1
	Dufftown		4	11			15
	Rothies		5	2			7
Moray	Total	1	152	165	40	3	361

¹ Note that this represents 47 new build properties which were let for the first time. There would not usually be such a high number of lets in this area.

1.3 Applying for our housing

1.3.1 Who can apply for our housing?

Anyone aged 16 or over can apply to be admitted to our waiting list. However, you have to meet at least one of the following conditions to be allocated a house:

- living in the area;
- work or have been offered work in the area;
- wish to move to the area to look for work;
- wish to move into the area to be near a relative or carer;
- have special, social or medical needs for wanting to live locally;
- wish to move to the area to provide care and support to a relative who already lives there;
- are subject to harassment (as defined in the legislation (the Protection from Eviction Act 1997) and wishes to move into the area; or
- at risk of domestic violence and wishes to move into the area.

1.3.2 How to apply for our housing

Anyone who wants to become one of our tenants must first fill in a straightforward application form.

The form can be obtained by:

- writing to us at Housing and Property, The Moray Council, PO Box 6760, Elgin, IV30 9BX;
- phoning us on 0300 1234566;
- emailing us on housing@moray.gov.uk;
- downloading a form from our website www.moray.gov.uk; or
- visiting your local area housing office listed below.

Buckie Area Housing Office The Moray Council Cluny Square Buckie AB56 1AJ	Elgin Area Housing Office The Moray Council Council Office High Street Elgin, IV30 1BX
Forres Area Housing Office The Moray Council Auchernack High Street Forres, IV36 1DX	Keith Area Housing Office The Moray Council The Institute Mid Street Keith, AB55 5BJ

We are currently developing a web based Common Housing Register in partnership with Aberdeenshire Council and some of the Registered Social Landlords that operate in the Grampian area. A 'go live' date has not been agreed, however details of any changes to the application process will be uploaded to our website www.moray.gov.uk as soon as they happen.

1.3.3 Our allocations policy and points system

We decide the policy to be used in allocating properties and it is our responsibility to implement this policy and allocate housing. Our policy is available online at www.moray.gov.uk.

A summary of our points assessment system is detailed below. However, you can get more information from any of our area housing offices listed in section 1.3.2. We also have a leaflet 'Allocations Policy and the Points System' leaflet that is available from Council access points and libraries in Moray or online at www.moray.gov.uk.

We have an open housing list, which includes the homeless priority list, the waiting list and the transfer list. Quotas are agreed by Committee each year to guide the number of allocations to each of the three lists. The current quotas are; 50% (+/- 5%) to the homeless priority list, 35% (+/- 5%) to the waiting list and 15% (+/- 5%) to the transfer list. Sheltered housing allocations are not included in this calculation and available tenancies will be considered in partnership with Community Care. A separate Lettings Plan will be used for initial lets in our new build developments.

Our points assessment system is normally used to decide which applicant on the waiting list or transfer list should be offered the tenancy of any vacant property and points are awarded according to housing need. The more points you have, the greater your chance of being offered a council house. If applications for the same property have the same amount of points, the length of time an you have been on the waiting list will be taken into account. It should be noted however, that your position on the list can alter on a daily basis (i.e. another applicant assessed as having a greater need for housing may enter the list at a higher position). Points are not given to those on the homeless priority list as permanent housing is allocated by the date of the homeless application.

1.3.4 The importance of providing full and up-to-date information in the application form

It is very important that you provide accurate information when filling in the application form. If you are not sure whether a piece of information about your circumstances is important then we will be happy to provide advice. In any case, it is better to include too much information on the application form than too little, perhaps missing out on valuable points as a result. It is important for the form to reflect your circumstances, some of which may be of a personal nature, but all applicants can be assured of confidentiality.

Moreover, if you remember something you forgot to put on the form after you have submitted it, or if your circumstances change as time goes by, you should let us know in writing, as soon as possible, so that your application form can be amended and the points total adjusted accordingly.

1.3.5 What happens next, after you have received my application?

On completion of the application form, the tear-off page at the back of the form is returned to you as a receipt. We aim to process application forms within 21 days and points are awarded through our computerised allocations system (according to each aspect of housing need). You will be advised in writing of the housing need points awarded when all the required checks are completed.

1.3.6 How many offers will I be given?

We will make two reasonable offers of accommodation. The second offer is only made after a reasonable refusal of the first, and so on. We will write to you giving details of the property we are offering, when you can view it and how long you will have to make up your mind. If you accept the offer, your tenancy will normally start as soon as the property is ready for you to move into. Rent is payable weekly or monthly in advance from the date the tenancy starts.

You have the right to refuse any offer of accommodation. However, if you refuse two reasonable offers within a period of one year, no further offers of accommodation will be made for a period of six months from the date of the last offer. If you are thinking of refusing an offer of accommodation, you should discuss your reasons with the Area Housing Officer who deals with the area the property is in before making a final decision. This is because it may be some time before we can make another offer to you.

1.3.7 How long do you keep applications on the list?

If you have not received an offer of property, within 12 months from the date of the application, then a review letter is sent to you. The review letter asks if you want to remain on the housing waiting list and if there has been any change in your circumstances from those on your original application. If you have not responded within 28 days, your application will be cancelled and removed from the housing waiting list.

1.3.8 Telling us if your circumstances or address changes

You should contact us if you have a change of circumstances as soon as possible as this may affect a future offer of housing. You will be asked to confirm any change in writing. If you have moved, you will need to complete a new application form because your point's entitlement may change.

1.3.9 How points are allocated

We make sure that we have all the information we need and will use the details from your application form to work out the total points, depending on your circumstances. Points are awarded for different types of housing circumstances. The number of points awarded will decide your position on the waiting list. Points are awarded for the following:

Your household is homeless	
Priority need and unintentionally homeless	Your application will be put on to our homeless priority list. This list is only for high-priority cases and is not part of our points system. You will usually be housed in the order that you were added to the list.
No priority need	100 points
Your home is too small for your needs	
For every bedroom you are short of (If you have children who do not live with you permanently, for example, they only stay with you a few nights a week, you will receive 50 points)	100 points
Your home is too big for your needs	
For every extra bedroom you don't need (transfer applicants only)	100 points
For every extra bedroom you don't need (waiting list applicants only)	50 points
You live in poor housing conditions	
The property is below an acceptable standard and, for example: <ul style="list-style-type: none"> • has an outside toilet or shared toilet (this means that more than one household will be using a toilet); • has serious damage to the structure; • has severe rising or penetrating damp (this is when water is getting into the property through the structure and is usually caused by a fault in the roof or walls); 	250 points

<ul style="list-style-type: none"> • does not have a good enough supply of piped water; and • is going to be knocked down or has a closing order (which makes it illegal for anyone to live in the property until it is improved to meet the standard set out in the order) 	
<p>The property is below an acceptable standard, for example:</p> <ul style="list-style-type: none"> • it has a bathroom with toilet which opens directly onto the kitchen or another room (not including a bedroom); • It does not have a bath, shower or washbasin; • there is evidence of rising or penetrating damp; • it has faulty lighting, poor ventilation or drainage systems; • there are no acceptable cooking facilities; and • the property does not have a closing order or is not going to be knocked down 	150 points
The property has minor faults including slight dampness, condensation and areas which need repairing	100 points
You live in poor housing conditions – caravans	
The caravan needs major repairs and also has poor or no facilities	250 points
The caravan needs major repairs but has facilities	150 points
The caravan needs minor repairs and has no facilities	100 points
You are sharing facilities with another household	
You share a kitchen, bathroom, or toilet	100 points
You are a key worker	
You have a job which brings in skills that are not locally available	100 points
Care and support	
Residential care or support is no longer appropriate You no longer need to live in supported accommodation	250 points
You live in a flat or maisonette (if you have children under 16 living with you)	
You have lived in a first-floor flat or maisonette with shared access for one year or more	40 points
You have lived in a second-floor flat or above or maisonette with shared access for one year or more	75 points
Exceptional circumstances	
The Housing Needs Review Group will assess this	0-500 points (depending on the circumstances)

1.3.10 What to do if you disagree with our decision

If you are not satisfied with the decision on your housing application, you should write to:

Senior Housing Needs Officer (Allocations)
Housing and Property
The Moray Council
PO Box 6760
Elgin
IV30 9BX

The letter should outline in as much detail as possible why you believe the decision is wrong.

1.4 Energy Performance Certificates (EPCs)

From 4 January 2009, by law all housing providers have to apply for an Energy Performance Certificate (EPC) for every property that is built, sold or rented out.

An EPC is a document which explains how energy efficient a property is. EPCs allow potential owners and tenants to compare the property's energy performance with other homes and are valid for 10 years.

Information from the EPC has to be recorded and sent to the Home Energy Efficiency Database (HEED).

1.5 Sheltered housing

Sheltered housing can best be described as small and easy to manage properties usually rented, provided by housing associations and local authorities. They are grouped together in a scheme with the services of a warden. All properties are provided with a community alarm system, for use in emergencies.

The fitted alarm system, using pull cords and pendants, provides security for residents as help can be readily summoned in an emergency, either from the warden on duty or via the central control centre in Aberdeen, who send appropriate help to the tenant's home.

We will allocate our sheltered housing to people who require that level of support and have been recommended for that type of housing by the Independent Medical Advisor. A housing application should be completed, along with the application for a medical assessment and sent to the Housing and Property Service. If you want to be housed by a particular housing association, applications should be made directly to them (please see section 2 on Registered Social Landlords). The table on the next page lists our sheltered housing schemes.

Location and size of our sheltered housing (31 March 2011)

Local Housing Market Area	Letting area	1 Bed	2 Beds	Total
Buckie	Buckie - Central	14	1	15
	Portgordon	23	2	25
Elgin	Elgin - Bilbohall	6		6
	Elgin - Bishopmill	30	3	33
	Elgin - Central	9	2	11
	Elgin - New Elgin	25	2	27
	Lossiemouth	8		8
Forres	Forres	24		24
Total		139	10	149

1.6 Residential and supported accommodation

Residential and supported accommodation are provided by the Council, housing associations and other voluntary organisations in the private sector, for people with special residential and respite care needs, including:

- older and infirm people;
- adults with mental health problems;
- adults with physical and/or learning disabilities;
- children and young adults with a learning disability;
- young people;
- people with alcohol or drug related problems; and
- combinations of these and more specialist requirements.

1.6.1 Children and Families Services

Social Work Services provides information, advice, support and access to children and family services. Assistance is also available through partner agencies. For more information contact your local Social Work Office (for Children and Families Services only) on the next page.

<p>Central Moray Social Work Team The Moray Council 1 Gordon Street Elgin IV30 1JN</p> <p>Phone: 01343 557222 Email: centralmoraysw@moray.gov.uk</p>	<p>East Moray Social Work Team The Moray Council 13 Cluny Square Buckie AB56 1AJ</p> <p>Phone: 01542 837200 Email: eastmoraysw@moray.gov.uk</p>
<p>North Moray Social Work Team The Moray Council 1 Gordon Street Elgin IV30 1JQ</p> <p>Phone: 01343 557222 Email: northmoraysw@moray.gov.uk</p>	<p>West Moray Social Work Team The Moray Council Auchernack, High Street Forres IV36 1DX</p> <p>Phone: 01309 694000 Email: westmoraysw@moray.gov.uk</p>

1.6.2 Community Care Services

Community Care aims to provide care, services and support to enable people affected by problems resulting from ageing, learning, physical or sensory disability or health problems, to live as independently as possible in their own homes.

An assessment of the individual's care needs is carried out by a Community Care Officer to enable access to Community Care services. Carers can also request an assessment of their needs. For more information contact your local Community Care Office.

<p>Buckie and Fochabers Community Care The Moray Council 13 Cluny Square Buckie AB56 1AJ</p> <p>Phone: 01542 837200 Email: buckiecommcare@moray.gov.uk</p>	<p>Elgin Community Care Team Glassgreen Centre Thornhill Road Elgin IV30 6GQ</p> <p>Phone: 01343 553024 Email: elgin.areacc@moray.gov.uk</p>
<p>Forres and Lossiemouth Community Care Team The Moray Council Auchernack Forres IV36 1DX</p> <p>Phone: 01309 694000 Email: forrescommcare@moray.gov.uk</p>	<p>Keith/Speyside Community Care Team The Moray Council Keith Resource Centre Mid Street Keith AB55 3AH</p> <p>Phone: 01542 886174 Email: keithspeysidecc@moray.gov.uk</p>

1.6.3 Criminal Justice Services

The Council, together with partner agencies, provides Social Work Services to the Criminal Justice System. Clients are referred through the Court or Prison Services. For more information contact:

Criminal Justice Service
The Moray Council
11 North Guildry Street
Elgin
IV30 1JR

Phone: 01343 557200
Email: criminal.justice@moray.gov.uk

1.6.4 Moray Community Mental Health Team

The Community Mental Health Team offers social work and care management services to adults with severe and enduring mental health problems. All referrals must be made by the individual's GP to the NHS Psychiatric Service prior to accessing social work support. The Community Mental Health Team work in partnership with NHS Health Care, Community Services and Voluntary Sector staff to assess and provide care/support to meet the individuals needs. For further information contact your GP.

1.6.5 Moray Alcohol and Drug Partnership

Moray Alcohol and Drug Partnership is a multi-agency group of service providers available to anyone who needs their services. An assessment for services will be made which include counselling, support and residential rehabilitation. For further information contact:

Studio 8
73 High Street
Elgin
IV30 1EE

Phone: 01343 543792
Email: studio08@turningpointscotland.com

1.6.6 Moray Learning Disability Services

The Community Learning Disability Team is a joint Health and Community Services Team comprising of Care Officers, Community Support Services, Community Nurses, AHPs, psychology and psychiatry staff. The team works closely together to assess the needs of adults with learning disabilities and provide services to support them and their carers. For further information contact:

Moray Community Learning Disability Team
The Moray Council
Highfield House
Northfield Terrace
Elgin
IV30 1NE

Phone: 01343 562111

1.6.7 Moray Throughcare and Aftercare Team

The Moray Throughcare and Aftercare Team provides support, advice and guidance to 'looked after and accommodated' young people aged 14 or over, both whilst in residential or foster placements and after moving on. There are specific eligibility criteria for aftercare support, which can include accessing 'supported lodgings'. For more information contact:

Moray Throughcare and Aftercare Team
The Moray Council
6 Moss Street
Elgin
IV30 1LU

Phone: 01343 563578

Email: through.aftercare@moray.gov.uk

1.6.8 Moray Women's Aid

Moray Women's Aid offers an advice service and provides temporary accommodation for women and children under the age of 16 who have to leave their accommodation because of domestic abuse. Moray Women's Aid is available 24 hours a day, 7 days a week. The women's refuge is closed at the weekend but a helpline is available from 4pm – 10pm on Saturdays and Sundays.

For more information phone 01343 548549 or e-mail admin@mwaelgin.co.uk.

1.7 Rent levels for our housing

Rents for all properties vary according to the size and type of the property, where it is situated, the standard of kitchen, whether the property has a garden and whether or not it has central heating and double-glazing. Our average rent increased approximately 3.5% from the previous year.

The following table shows average weekly rent (£) for our properties by local housing market (LHMA), type and size over a 48-week period for 2011/12.

LHMA	Type	Number of Bedrooms						
		1	2	3	4	5	6	7
Buckie	Ground floor	41.70	45.74	52.00				
	General needs	39.78	47.63	54.15	60.80	76.19	86.78	
	Sheltered	39.00	47.15					
Cairngorms	Ground floor	40.08		51.84				
	General needs	40.41	48.18	52.95				
Elgin	Ground floor	41.37	47.08	49.92	59.62	75.19		
	General needs	40.17	48.22	54.73	62.84	85.13		96.77
	Sheltered	45.91	52.67					
Forres	Ground floor	40.54	45.35	50.49				
	General needs	38.96	47.51	53.37	62.36			
	Sheltered	37.27						
Keith	Ground floor	41.03	48.07	53.05				
	General needs	40.24	47.98	53.59	60.30			

1.7.1 Temporary accommodation for homeless households

If you are living in temporary accommodation, the rent charged is generally more expensive than general needs housing. This is because the charges have to cover the costs of managing the accommodation and providing furniture, if any. Sometimes the charges will also include gas, electricity and Council Tax. The rent and charges may also be different depending on the type of temporary housing provided. We will explain in detail about the charges if you make a homeless application and are offered temporary accommodation. You may be able to get help towards these costs through Housing Benefit entitlement (see section 1.7.2).

1.7.2 Housing Benefit

Anyone on a low income and renting accommodation from us or housing association may be entitled to receive Housing Benefit. This can be enough to pay all or some of the rent due, depending on a verified assessment of your household's income sources and levels. (See Appendix A on Housing Benefit for details of the application process and assessment procedures).

The following table shows the average award for our tenants receiving Housing Benefit split by local housing market area (LHMA) as at April 2011.

LHMA	Ground floor	Mainstream	Sheltered	Total
Buckie	£40.62	£44.09	£39.31	£42.87
Cairngorms	£43.09	£47.61		£45.87
Elgin	£39.46	£44.55	£42.93	£43.02
Forres	£39.61	£43.21	£31.52	£41.83
Keith	£38.55	£43.93		£42.35
Speyside	£36.85	£42.60		£40.72

1.8 Options if you already are, or are about to become, our tenant

1.8.1 Your rights and responsibilities

Our tenants are given a copy of the Tenants' Handbook, which provides useful and easy-to-follow information on their rights and responsibilities and the services that we provide for them. The handbook is also available online at www.moray.gov.uk.

We are keen to encourage our tenants to take an active part in the management of their homes. There are opportunities for local representation in the form of Local Area Forums and a Central Tenants Core Group with representatives elected as non-voting members of the Housing Sub Committee. To find the local Tenants' Forum in your area, contact us (see Appendix B).

1.8.2 Repairs and maintenance

The responsibility for repairs to our houses is shared between us and our tenants. In essence, we are responsible for maintaining the fabric and permanent fittings of the building whereas the tenant is responsible for internal decoration, furnishings and removable fittings like clothes lines, TV aerials, curtain rails and so on. Specific conditions will apply to furnished and partially furnished tenancies; these will be included in the tenancy agreement. We prioritise repairs as shown below:

Priority	Target response time
Emergency	Within two hours
Urgent	Within next working day
Priority	Within five working days
Ordinary	Within 20 working days
Repairs by appointment	Within 20 working days (am or pm)

In addition to this there is regular planned maintenance to replace and/or upgrade parts of the building fabric. This is undertaken according to priorities and a programme we set after consultation with the local Tenants' Forums and Tenants' Core Group.

1.8.3 Buying your house under the 'Right to Buy' scheme

Some Scottish secure tenants who started a tenancy before 1 March 2011 may have a statutory Right to Buy their home. The details are complicated and depend on when the tenancy started, the location of the property and type of property you live in.

If your tenancy started before 30 September 2002

You can qualify to buy your house after two years continuous residence in a social tenancy, with your discount entitlement starting at 32% for a house and rising 1%

each year up to a maximum of 60%. For a flat this starts at 44% after 2 years and rises 2% per year up to a maximum of 70%. If you had these rights before 30 September 2002 then you will keep them provided you stay in the same house.

If your tenancy started after 30 September 2002

You can qualify to buy your council house if you have at least 5 years continuous tenancy. For houses and flats the discount starts at 20% after 5 years and rises 1% each year up to a maximum of 35% of market value or £15,000 whichever is the lower.

Exceptions to buying your home

There are a number of circumstances where you may not have a Right to Buy or where there are restrictions on your Right to Buy such as:

- If your tenancy started after 1 March 2011;
- If you are moving to a new build property;
- if you have rent arrears or other housing related charges or Council Tax, water or sewerage charges;
- if we have served a Notice of Recovery of Possession on you; or
- if the property has special features and/or housing support (for example, sheltered housing);
- if you are living in an area that has been granted Pressured Area Status because of a shortage of affordable housing (this is explained in more detail a little later in this section).

More information

If you are a Council tenant thinking about buying your home you should contact us for an application form and a more detailed information booklet – these are available from all Council access points. Completed forms should be returned to our Legal and Committee Section. Information about the Right to Buy scheme can be obtained by phoning 01343 563014 or by contacting your local area housing office.

You should be aware that the Right to Buy transaction – from the date of application to the date of legal completion of the purchase – takes around six months to complete.

Pressured Area Status

The Housing (Scotland) Act 2001 allows Scottish Ministers to designate any part of a local authority area as a 'pressured area' for up to five years at a time, where the demand for social housing outstrips supply and it can be shown that this situation will be adversely affected by tenants exercising their Right to Buy. The result of the designation is to suspend the Right to Buy for certain tenants living in the area for a period of up to 5 years.

From 30 June 2011 the Housing (Scotland) Act 2010 introduced more flexibility and local control over pressured-area designations. The Act removed the Scottish

Ministers' role in relation to the designation of pressured area status. Instead, local authorities now have the power to designate pressured areas as well as to revoke and amend any such designation.

The purpose of Pressured Area Status is to protect the amount of affordable rented housing in a council area and to make sure that there are enough houses for people who need them.

Areas granted Pressured Area Status

The following local housing market areas have been granted pressured area status:

Local Housing Market Area	Let Area
Buckie	Buckpool
Cairngorms National Park	Tomintoul Tomnavoulin
Elgin	Burghead Duffus Elgin Hopeman Lossiemouth
Forres	Alves Brodie Coltfield Dallas Dyke Findhorn Forres Kinloss Rafford
Speyside	Aberlour Archiestown Craigellachie Dufftown Glenallachie Glenlivet Knockando Marypark

The effect of Pressured Area Status

The effect of Pressured Area Status is to suspend the Right to Buy for the following tenants living in the areas listed previously:

- tenants who have taken out a new tenancy in the area on or after 30 September 2002 (the date of the introduction of the Scottish Secure Tenancy);
- those tenants whose tenancy was created before the introduction of the Scottish Secure Tenancy who did not previously have the Right to Buy entitlement; and

- those who have succeeded a tenancy following 30 September 2002 (unless they were a level one successor). That is a spouse, joint tenant or co-habitee (providing the house has been the co-habitee's sole or principal home for six months prior to the tenant's death). In all cases, the house of the deceased tenant must have been the only or principal home of the qualifying person.

Tenants in tenancies created before the introduction of the Scottish Secure Tenancy and which were converted to the Scottish Secure Tenancy will not be affected by the suspension providing:

- before 30 September 2002 they had a Right to Buy entitlement as a result of having a secure or assured tenancy with the preserved Right to Buy; and
- they have not succeeded to their tenancy after the 30 September 2002.

Which tenants does it affect?

Essentially all tenants who have the modernised Right to Buy will have their entitlement suspended. It does not affect the rights of tenants with the original Right to Buy (except for tenants who have succeeded to the original Right to Buy after 30 September 2002).

Any tenant who has started a new tenancy in the area will be covered by pressured area status designation. This includes tenants who, after 30 September 2002:

- transfer from another house owned by us or another registered social landlord;
- mutually exchange their home; or
- succeed to their tenancy (if they are a level two or three successor. That is they are a member of the deceased tenant's family who is aged 16 years or a carer).

Length of suspension of the Right to Buy

The pressured designation allows for a suspension period of five years or less. Although five years is the maximum period, we can apply for a further period of pressured designation, if we feel that it is necessary. We will assess each area individually. Expiry dates for Pressured Area Status for settlements in Moray is available on our website at www.moray.gov.uk.

1.8.4 Transfers

Any of our existing tenants may apply for a transfer to another of our houses - provided you are not in breach of your current or previous tenancy agreement or there are issues with the condition of your property.

Applications for transfers within the Moray area are assessed and pointed in accordance with our allocations policy and points system (see section 1.3). A

property is then allocated in the same way to a transfer applicant as to a general needs applicant.

1.8.5 Mutual exchanges

The mutual exchange scheme is designed to help tenants of social landlords swap homes. The landlords of the properties must give permission before a mutual exchange can take place - we will not withhold our permission unreasonably.

You can exchange with:

- another one of our tenants;
- a tenant of a housing association; or
- a tenant of another council.

Most mutual exchanges take place locally although there are also opportunities (but a lot fewer of them) for Council/ housing association tenants to swap their houses for public sector houses in other parts of the UK.

House Exchange is website that brings people together who are looking to swap their home. You must register at www.apply4homes.houseexchange.org.uk. If you do not have internet access at home you can visit your local library. If you need help registering call us on 0300 1234566.