

## **Marlborough House Moving Home Policy – PCH Tenants**

### **Purpose**

This policy sets out what you, as a PCH tenant at Marlborough House, can expect from PCH when we ask you to move from your home. As we are asking you to move from your current home because it's being regenerated, we will help you to find a new home. The policy sets out how we will help.

This policy should be read in conjunction with the PCH Decant Policy and the Marlborough House Moving Home Policy – Owners.

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### **1. Housing Choices**

1.1 If we ask you to move from your current home because it is going to be demolished, we will help you to find a new home.

1.2 Most tenants will bid for their new home through Devon Home Choice (DHC), or an equivalent organisation (for example, Cornwall Home Choice). PCH staff can support tenants to register using the information and preferences you provide to us. Once registered, staff can support you to bid for suitable properties. Additional priority in terms of banding on Devon Home Choice will be given to our tenants affected by this regeneration. A Band B will be allocated to all Marlborough House tenants and everyone will be awarded the same registration (start) date. In future some PCH properties advertised will be identified with priority for Marlborough House Regeneration tenants.

1.3 In some circumstances we may make you a direct let of a PCH property, for example if you need a specific property for your household's needs.

1.4 If you would like us to support you to register with DHC (or equivalent) for housing, to help us find a rehousing option for you we need to identify your household, preferences, and housing need. We will gather this information at a time and location to suit you by:

- Verifying who lives at home, both permanently and temporarily
- Establishing the size and type of property you live in
- Establishing the size and type of property you need
- Asking if anyone in the household has any health or mobility issues
- Asking where you want to move to and what type of housing you want to consider
- Asking whether you have any support networks or strong family connections that you wish to maintain
- Asking what support you need
- Asking your employment status and household income details

## 2. Size and Type of Property Offered

2.1 You will be assessed under the Devon Home Choice policy to see what size and type of property you need.

2.2 If your current home is too big or too small for your household's needs, the following options are available:

- Housing need only: you can bid on properties advertised by any landlord that match your assessed housing need according to DHC policy.
- Housing need lower: If your bedroom need is less than your current home, we will allow you to move to a PCH property of the same size as the home you occupy at Marlborough House. We may do this by direct match. This can be for any type of property in PCH's stock that you meet the age and support need criteria for. **Important:** If you are affected by the Bedroom Tax/Benefit Cap, you will not be able to seek a property larger than your assessed need unless you have passed an affordability check, and demonstrated this by paying the shortfall.

- Housing need + one additional bedroom (PCH stock only). In recognition of your established living arrangements, we may allow you to bid on PCH properties with one more bedroom than your housing need. This would need to be achieved via direct match. This can be for any type of property in PCH's existing stock that you meet the age and support criteria for.  
**Important:** If you are affected by the Bedroom Tax/Benefit Cap, you will not be able to seek a property larger than your assessed need unless you have passed an affordability check, and demonstrated this by paying the shortfall.

2.3 You must pass an affordability assessment to ensure you can afford to rent one of our properties.

#### 2.4 Adaptations

If your current home has been adapted to meet your assessed needs, we aim to help you find a property that is already suitably adapted. If you cannot find one, we may offer you a property that can be adapted.

### 3. Allocation of Housing and Moving Time Frames

- 3.1 The rehousing programme will be prioritised according to the needs of the redevelopment scheme.
- 3.2 You will be allocated a property through Devon Home Choice (or equivalent), unless we have confirmed in writing that you will receive a direct offer. PCH staff can assist you in bidding for a property.
- 3.3 You will have up to two weeks to move into your new home once you have signed the tenancy agreement and collected the keys. Please be aware that Housing Benefit and Universal Credit housing payments will only be paid for your new home from the date that you move into it.
- 3.4 If you have not moved after two weeks of signing a tenancy agreement, PCH may charge you for Use and Occupation of the property and take action to recover vacant possession. You will be liable for any costs incurred, eg lock change.

3.5 Where you are not bidding for properties or not engaging with us, we may make bids on your behalf. We may also serve you with a Notice of Seeking Possession of your home. If you have not been allocated a property through bidding on Devon Home Choice or other platform by the determined deadline, PCH may make you a direct offer of a suitable property.

3.6 If you continue to refuse offers of suitable accommodation, we may take action to gain possession of your home. If a possession order is granted and you refuse the final offer of accommodation offered to you, we will take action to evict you.

If you are evicted, PCH will have no further duty to re-house you.

- You would then have to find your own accommodation
- You would also lose all rights to Home Loss and Disturbance Payments

#### **4. Support**

4.1 We will provide the appropriate assistance to help you through the process of choosing and moving to your new home. We will work with other agencies or individuals who also support you. Staff from PCH will support you to register and bid for housing, and provide advice and practical assistance at all stages of the relocation process. Dependant on your needs, this could include: practical support to view properties, setting up your home with carpets, curtains, white goods and arrange the removals and connection of utilities.

#### **5. Home Loss Payments and Disturbance Allowance**

5.1 Due to the timescales involved in the new development, the move you are offered will be permanent and not a temporary decant. You will not have enhanced priority for a move back to the new development on the Marlborough House Site or any other move. Should you wish to move again in the future through Devon Home Choice it will be under DHC policy.

5.2 Payments are made in accordance with legislation. The relevant acts are:

- Land Compensation Act 1973 (as amended)
- Planning and Compensation Act 1991

5.3 PCH will only pay Home Loss and Disturbance Payments if we have asked you to move because your home is due to be demolished. PCH will not pay you if you choose to move before PCH has confirmed the start of the process of moving you from your home.

5.4 Home Loss is a compensation payment made to PCH tenants in recognition of the loss of your home due to demolition. It is payable after you have moved and returned the keys of your former home and made a claim to PCH. The Home Loss payment is set by the Government and is currently (from 1<sup>st</sup> October 2023) £8,100.00. This amount is reviewed annually.

#### 5.5 Deductions

Home Loss payments will be used to clear any debt owed to PCH, including current and former rent arrears, court costs, and rechargeable works.

#### 5.6 Clearance of unwanted items

When you move, PCH expects that you clear your property (including carpets, shed contents and outbuilding contents). The cost to clear and dispose of anything that you leave behind will be deducted from your Home Loss payment.

5.5 Disturbance Allowance is a payment to cover your reasonable costs of moving home.

The Disturbance Allowance should cover the costs of:

- Removals
- Disconnection and reconnection of existing appliances, including cooker, washing machine, dishwasher \*If your existing cooker does not fit in your new home, we will pay you £250 towards buying a replacement cooker.
- Disconnection and reconnection of existing services, including telephone, intruder alarm, cable TV, broadband
- Redirection of mail (up to three months)
- Alterations required to soft furnishings such as carpets and curtains and movable fixtures and fittings to fit in your new home

We will offer a payment based on the size and type of property which you are moving to (see table below).

Size	1 bed	1	2	2	3	3
Property Type	Flat	House or Maisonette	Flat	House or Maisonette	Flat	House or Maisonette
£	3435	3570	4116	4245	4796	4925

### How we make Home Loss and Disturbance Allowance payments

- We will pay the Disturbance Allowance directly to your bank or savings account when you accept the offer of a new property and it is ready for letting.
- We will pay the Home Loss payment directly to your bank or savings account after you have returned the keys of your former home to the PCH staff team.

## 6. Paying your rent and keeping to tenancy terms

6.1 All PCH tenants at Marlborough House will need to continue paying rent on their home until the last date that we agree, to align with the date when you are moving. If you don't carry on paying rent, we will take action against you, which can include taking you to court to request a Possession Order.

6.2 If a Possession Order has been obtained against you for rent arrears or a breach of tenancy and you are keeping to the terms of the order, we will rehouse you according to this policy.

6.3 If you have not kept to the terms of a Possession Order and you are evicted, or we are actively seeking to evict you, we will not rehouse you and we will not pay you any Home Loss or Disturbance Allowance payments.

## **7. Equality and Diversity**

PCH will apply this policy consistently and fairly, and will not discriminate against anyone based on any relevant characteristics, including those set out in the Equalities Act 2010.

PCH will make this policy available in other languages and formats on request.

## **8. Monitoring and Review**

We will monitor this policy to ensure that it meets good practice and current legislation and will review it in accordance with our review timetables for all policies.