BRACKNELL FOREST COUNCIL ALLOCATIONS POLICY

Introduction

This document sets out Bracknell Forest Council’s Allocations Policy which determines the basis for allocating RSL vacancies in the Borough.

In drawing up this scheme, the Council has consulted with all RSL’s with properties in the Borough, local voluntary and statutory agencies, the Bracknell Forest Homes Tenants and Leaseholders Panel and applicants on the Housing Register.

This policy introduces Choice Based Lettings which encourages choice and gives the opportunity for households eligible for housing to engage and be involved in housing decisions that affect their future.

The aims of this policy are to:

- Ensure social rented housing in the Borough is let to those in greatest need;
- Make the process of allocating tenancies as transparent as possible;
- Make best use of the social rented stock in the Borough;
- Encourage sustainable communities;
- To make sure the housing needs of vulnerable applicants and those in priority need are given reasonable preference;
- Ensure through the use of Choice Based Lettings that applicants exercise greater control over their choice of housing, increasing the likelihood that tenancies will be sustained.

Bracknell Forest Council promotes equal opportunities and opposes all forms of unfair discrimination. All applicants will be treated fairly irrespective of their gender, colour, marital status, race, nationality, ethnic origin, disability, sexual orientation age or faith.

Housing Advice and Assistance

Anyone needing advice or assistance with their housing situation may contact the Housing Options Service where a Housing Options officer will be able to provide information about applying for an RSL home, finding accommodation in the private rented sector, what to do if you are homeless or facing eviction or applying for shared ownership housing.

Housing Register Eligibility

The Housing Register is open to anyone over the age of 16 years, unless they come within the “ineligible” categories set out in the Homelessness Act 2002.
Applicants who are eligible persons under 18 year of age may be required to have an adult or organisation acting as a guarantor for rent until they reach the age of 18, as a condition of being allocated a property.

The following are not eligible to join the housing register:

- Those subject to immigration control and not re-included by Regulations;
- Those persons from abroad prescribed by Regulations to be ineligible;
- Where the applicant or a member of the household is considered to be guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant and at the time of application for housing they are still considered unsuitable to be a tenant by reason of that behaviour.

Unacceptable behaviour is defined as behaviour which would, if a person was a secure tenant or member of their household, entitle a landlord to possession under any of the Grounds 1 to 7, Schedule 2 of the Housing Act 1985. Unacceptable behaviour includes:

- Owing serious rent arrears and failing to comply with a current or past tenancy agreement with a Council, housing association or private landlord;
- Conviction for illegal or immoral purpose;
- Causing nuisance and annoyance to neighbours or visitors;
- Committing certain criminal offences in or near the home and still posing a threat to neighbours or the community;
- Being violent towards a partner or members of the family;
- Allowing the condition of the property to deteriorate;
- Allowing any furniture provided by the landlord to deteriorate due to ill treatment;
- Obtaining a tenancy by deception, for example, by giving untrue information;
- Paying money to illegally obtain a tenancy;
- Having lost accommodation provided in connection with employment due to conduct making it inappropriate for the person to reside there.

An applicant’s eligibility to join the Housing Register will be kept under review during the application process. If, for example, new information about an applicant’s behaviour comes to light after an initial assessment, they may be removed from the housing register.

Applicants who are not eligible to go on to the Housing Register will be notified of the decision and reasons in writing within 20 working days. They have the right to request a review of this decision within 21 days.

**Joining the housing register**

To join the Housing Register applicants must complete a housing application form, and where appropriate, medical and social need assessment forms. Applicants who need help with completing the form can request an
appointment to see a Housing Officer at the Housing Office who will be able to help them.

Applicants will be asked to provide information and evidence necessary to enable officers to check their eligibility and housing need. This will usually include:

- Photo identification;
- Proof of identity for all household members and evidence of their right to live in the UK if they are not British Citizens;
- Proof of current address.

Applicants will not normally be visited at their home address. It is expected that applicants will provide sufficient information for their eligibility to be assessed at the point of application.

If the Council is satisfied that the applicant is eligible to be on the Housing Register, an initial assessment will be made based on the information on the application form and any other information provided. Applications will normally be assessed within 20 working days, once all the required information has been provided in the requested form.

All those eligible will be assessed and placed in the appropriate bedroom category for their household size and in one of the five bands in date order. Applicants will be sent a letter explaining what band they are in and their date of application.

If an applicant feels that their application has been assessed incorrectly under the scheme and relevant circumstances have not been taken into account, they may request a review of the decision and must be able to provide supporting evidence. To request a review, the applicant should write to the Council setting out reasons for requesting a review within 21 days of their notification letter.

**Who can be considered as part of the household?**

In considering requests for housing, the Council will take in to account:

- Partners;
- Dependent children – including children coming out of social services care, children who have been adopted, the applicant having care and control of children (sleeping in the home for 4 or more nights a week and in receipt of child benefit);
- Dependent relatives – where a relative of an applicant has had to join the applicant to receive care and there are no other housing options for the family;
- Carers – where the applicant can demonstrate that they are now in need of a live in carer (4 or more nights a week);
- Where an applicant is an approved foster or adoptive parent, as verified by Children Services;
• Prospective adopter parents or foster parents as verified by Children Services;
• Children who have lived with the applicant but are staying at university or college for a period of time.

Application update and renewal

All Housing Register applicants are required to re-register once a year, and will receive a reminder and information on how to do this on the anniversary of the date of their application.

Applicants must notify the Council of any changes in their circumstances as they arise, such as, but not limited to, a relationship breakdown, a child leaving home or a new child being born. When an applicant's change of circumstances has been re-assessed, this may result in a change in the applicant's band or bedroom need. The applicant’s position in the new band will run from the date that the Council was informed of the change in circumstances, and not from the date of the original application.

Giving false or misleading information

Under Section 171 of the Housing Act 1996, it is a criminal offence for an applicant to knowingly give false information or to withhold information relevant to their application. A fine of up to level 5 on the standard scale may be imposed by the courts if the applicant is found guilty.

This applies if:

• An applicant knowingly gives false information; or
• Knowingly withholds information which the Housing Options Service has reasonably requested.

This applies at all stages of the application. If there is a significant change in the applicant's housing circumstances then there is an obligation on them to inform Housing Options of this.

It is also an offence if an applicant allows a third party to provide false information on their behalf or at their instigation, or they mislead a third party into giving false information.

Bracknell Forest Council reserves the right to remove an applicant from the Housing Register if there is evidence that they, or a person acting on their behalf, have given false information or withheld information relevant to their application.

Removal from the Housing Register

Applicants may cancel their Housing Register application at any time by writing to the Housing Options Service.
Applications will also be cancelled in the following circumstances:

- No response to a renewal reminder;
- The applicant has accepted an offer of accommodation;
- Contact with the applicant is lost;
- The applicant ceases to be eligible.

If an application is cancelled, the Council will write to the applicant at the last known address giving a reason for the cancellation.

**Reinstating applications**

Applications may be reinstated in cases where they have been cancelled. However this will normally only apply within three months of cancellation. If an application is reinstated it will retain its original date of registration. If reinstatement is not agreed, a new application will be required.

**Low Cost Home Ownership Register**

Housing applicants on the Council’s Housing register may also apply for consideration for low cost home ownership options. The main low cost home ownership option is shared ownership.

The Home Ownership register is open to anyone whose income is less than £60,000 and prevents them from purchasing a property on the open market that would meet their housing needs.

The Council works in partnership with a Registered Social Landlord Zone Agent to nominate households for low cost home ownership properties as they arise.

Priority for nomination will be given first and foremost to existing RSL tenants and Housing Register applicants living in the borough, and secondly to applicants on the Housing Register working in the Borough.

**Mutual Exchanges**

It is Council practice to encourage and facilitate mutual exchanges wherever possible and Housing Options officers can offer advice on this option.

The transfer applicant’s landlord is responsible for approving mutual exchanges and an applicant should refer to their landlord’s policies to ensure any eligibility criteria are met.

**Rent Arrears**

RSL’s operate their own lettings policies relating to rent arrears, and while an applicant may register for housing and bid for vacant properties, their bids may be rejected by the RSL if rent arrears are outstanding. RSL transfer
applicants are therefore advised to seek advice from their landlords if they are in arrears with their rent.

Help with registering and bidding for properties

Some applicants may need help with registering for housing and bidding for properties. In most cases applicants needing assistance will be identified via their Housing Register application form. Officers will work with the applicant to identify someone appropriate who will act as their nominated helper. People considered appropriate to provide help will be a professional person, such as a Care Manager, Housing Options Officer, support worker etc or a family member, or representative.

The Housing Register application form includes a question asking whether an applicant may have difficulty in applying and bidding for properties themselves and whether they have a care manager or someone who could help them. The Council will hold a record of applicants who have been identified as needing help and details of the person agreed to be their helper.

Applicants will be notified in writing of the arrangements that have been agreed for providing them with assistance. Where a bid has been made on behalf of an applicant and has been made in line with the bidding agreement, the property will be considered to be a suitable offer in the event that an applicant subsequently refuses the property. Housing Options officers will monitor bids that are made on an applicant’s behalf to ensure that that they are appropriate and in line with the applicant’s preferences.

Priority for housing

Reasonable Preference

The Homelessness act 2002 states that a Local Authority’s allocations scheme should ensure that reasonable preference is given to:

- Applicants who are homeless within the meaning on part VII of the Housing Act 1996;
- Applicants who are owed a duty by any local authority under section 190(2), 193(2) or who are occupying accommodation secured by such an authority under section 192(3);
- Applicants occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- Applicants who need to move on medical or welfare grounds;
- Applicants who need to move to a particular locality in the district of an authority, where failure to meet that need would causes hardship (to themselves or others)
Composite Need

Where a household falls into more than one reasonable preference group, cumulative preference will be given. The banding scheme allows for applicants with multiple housing needs to move between bands, according to level of need.

Additional Preference

Where an applicant has an immediate need for re-housing, additional preference will be awarded. The banding scheme allows additional preference to be given to those households identified as having the most urgent need or multiple needs. The types of circumstances likely to be eligible for additional preference are set out in Band A of the banding Scheme.

Local Housing Policies

Section 167(2E) of the Housing Act 1996 enables local authorities to establish local lettings priorities in order to achieve the best use of the housing stock in the borough and meet other housing policy objectives.

Local housing policies have been established to allow:

- RSL transfer applicants to move from a flat to a house, in the absence of any other identified housing need, on a date order basis;
- Priority to be given to first time applicants in the private rented sector in cases where an applicant avoids homelessness by securing an alternative private sector tenancy.

Choice

The Housing Act 1996 requires local authorities to offer choice of accommodation, or to give an opportunity to express reasonable preference in relation to accommodation. Bracknell Forest Council will offer a choice of accommodation in line with our Choice Based Lettings scheme, which provides the opportunity to choose accommodation by expressing an interest in properties that are advertised on a dedicated website.

How needs are assessed

The Council operates a banding scheme which takes in to account applicants who should be given “reasonable preference”, additional preference groups and local lettings priorities.

There are five bands:

Band A – Emergency

Band B – Urgent

Band C – High
Band D - Medium

Band E – Low

Band A is a time limited band and all applicants in this band will be kept under review. The expectation will be that applicants bid for appropriate vacancies when they arise. In cases where applicants fail to bid for appropriate vacancies, a direct offer may be made by officers or their priority status will be reviewed and may be reduced by being moved to a lower band. In cases where an applicant is moved into a lower band, the applicant will retain the date placed into the previous band.

Priority for a property will be awarded on the following basis:

Applicants will be able to express an interest in a vacancy by making a bid. Where more than one applicant expresses an interest in a vacancy, they will be placed on a shortlist.

Short listed applicants will be prioritised in the following way:

- Applicants in the highest band starting with Band A through to Band E;
- Within each band, priority will be given:
  - Firstly, to applicants who are resident in the Bracknell Forest area;
  - and secondly, by date of placement in band. (This may be different to the date of registration in cases where an applicant has moved bands);
  - In cases where applicants have 2 or more children, families with children of different genders and where one child is over the age of 10 years will be prioritised over families where children are the same gender or are younger than 10 years.

If the applicant with the highest priority on a shortlist refuses the offer, the property will then be offered to the next eligible applicant on the shortlist.

Applicants will not be able to express an interest in a vacancy for which they are not eligible. An applicant will be excluded from a shortlist on the following grounds:

- The applicant in not eligible in accordance with the Bedroom Standard and type of accommodation in Appendix 2;
- The applicant does not satisfy the advertising criteria included in the advert.

In cases where applicants have bid for more than one property and one of their bids has resulted in an offer of accommodation, all other bids will be suspended.
Officers will monitor the bidding activity of all applicants to ensure applicants are using the choices available to them and to provide applicants with more information about their re-housing prospects.

**Medical Priority**

Applicants who indicate that they or anyone in their household have an illness or disability which is affected by their current home will be asked to complete a medical self-assessment form. A Housing Options Officer will consider this information, together with any relevant information from the GP, hospital consultant or other health practitioner as appropriate to establish how the medical condition is affected by their housing. The level of medical priority will be determined by a panel of officers.

Medical priority will be kept under review and may change if:

- The applicant moves to alternative accommodation.
- There is a material change in the medical condition of an applicant or other member of their household.
- The condition is acute and the applicant had been awaiting treatment and the treatment has now been completed, thereby resolving the medical need.

**How vacancies will be advertised and let.**

Vacancies will be advertised every week in a variety of locations:

- On the Choice Based Lettings website;
- In public buildings such as libraries and family centres;
- On a dedicated recorded phone line;
- On didgi TV;
- At council kiosks.

The Council will make the advertisements available to other relevant organisations and agencies to enable them to assist their clients in seeking a home.

Each vacancy will have information on the location, size and type of property, and any criteria that applicants must satisfy in order to be eligible for short-listing. For example, a vacancy in a sheltered housing scheme will normally be restricted to applications from people over pensionable age and a property with an adaptation will be restricted to a household in need of that facility. Larger properties may state that applicants must have more than a certain number of children.

Results will be published on a quarterly basis.
Allocation of accommodation

When an empty property is allocated to somebody several factors will be taken into account:

- What size the property is and what size/type of household would be eligible;
- Whether the property is for households with special needs/support requirements;
- Whether the property is to be held for a specific household and not advertised;
- Which household is highest on the shortlist of all households who have made a bid for a property;
- Whether the allocation to a household can free up another property for allocation thus making best use of the housing stock overall.

The Council will agree an annual allocation plan. This will target the number of allocations made between the three main routes into a new home; first time applicants, homelessness and tenants who are transferring. It may be that properties are advertised specifically for one of those groups to make sure a balance of housing goes to each of the three groups. The Housing Options team will decide if a property needs to be advertised to a specific group based on the factors set out above and the number of allocations that have been made to each of the three main groups during the year.

There are a number of housing schemes in Bracknell Forest which provide specialist support. Allocation of the vacancies in those schemes will be managed to make sure they go to the household in greatest need at any point in time.

Vacant properties in supported housing schemes will only be made to households who have the relevant support needs. Applicants for these schemes will be assessed and prioritised by either the Young Persons Accommodation Panel or the Adults Panel, depending on the age of the applicant. Referrals to these panels may be made by a Housing Options officer, a care manager or other support worker, or a voluntary sector agency representative.

As part of the allocation plan annual move on quotas will be negotiated for each support scheme. Each scheme will be able to agree with the Council the households who will be awarded sufficient priority in the allocation scheme so that they can be successful in bidding for properties in the year. This will allow schemes to work with individuals and prepare them for independence. The Council will be flexible in the operation of the move on quota and will offer rent in advance and deposit loans if households would prefer and are capable of securing a home in the private rented sector.

The move on quota will generate vacancies in the supported housing to which the Council will nominate households.
Allocations made outside policy

The Council will aim to maintain the integrity of the allocation of property as set out above.

However, there will be occasions where direct allocations of properties are made where they have not been advertised and applicants have not made bids. Such circumstances will include specialist housing where an applicant has been identified and there is a need to house the applicant as soon as possible.

So as to manage the supply of temporary accommodation and enable the Council to meets its statutory homeless duties some properties may be allocated directly to homeless households outside the allocation scheme. Homeless households will be able to bid for properties at any time and will be placed in the band appropriate to their housing needs. If they have not been successful in obtaining an offer of accommodation through bidding during a six month period from when their homelessness was determined the household will be offered the next available property that meets their housing need.

Local lettings plans

Section 167 (2E) of the Housing Act 1996 (as amended by the Homelessness Act 2002) enables Housing Authorities to adopt Local Lettings Policies and Plans. The Code of Guidance states that these lettings plans could enable a Housing Authority to allocate to specific groups of people, whether or not they fall into the reasonable preference categories. However, it also states that reasonable preference categories must be taken into account overall and that local lettings plans should not discriminate either directly or indirectly on any equality grounds.

Sites which the Council will consider appropriate for Local Lettings Plans are as follows;

- Sites of a specific nature (i.e. Eco Homes developments, Live Work etc.);
- Sites where the location of the scheme presents limitations in terms of the type of nominations which can be accepted;
- Sites where there are issues with hard to let properties;
- Sites where management issues are of significant impact;

RSL’s should identify the requirement for Local Lettings Plans upon commencement of the development and should begin discussions with the Housing Resources Team at this time to allow proposals to take shape.

RSL’s will be required to provide clear justification and evidence for requesting a Local Lettings Plan, along with the detail of the plan, at least six months in advance of nomination requests. In considering the detail of the plan, the RSL will need to show that consideration has been given to the following factors;
• Meeting identified housing needs
• Assisting the Council in dealing with its Homelessness Duties
• Steps which the RSL can take to mitigate risks

The Council will consider the request and will work with the RSL to reach agreement one month from the original request.

The final decision in terms of Local Lettings Plans will be made by the Chief Officer: Housing. All decisions will be made in accordance with the principles of the Local Lettings Plan protocol.

Where an RSL can provide evidence of a particular scheme or estate where difficulties are experienced with demand and therefore, lettings, the Council will consider requests for Local Lettings Plans which directly deal with this.

Where an RSL can provide evidence of a particular scheme or estate where management issues are having a significant impact on the quality of life of their tenants, the Council will consider Local Lettings Plans.

Once Local Lettings Plans are agreed, properties will be advertised, showing specific details according to the plan. The Housing options team will then make nominations according to the plan.

**Making offers to applicants**

The Registered Social Landlord who owns or manages the vacant property that has been advertised will be responsible for writing to the successful applicant once notified by the Council. The RSL should provide the applicant with additional detail of the property, a potential tenancy commencement date and details of how to view the property.

**Refusal policy**

Applicants who refuse two offers of suitable general needs accommodation in a twelve month period which they have bid for will not be able to bid for properties for a twelve month period. The twelve month period will begin at the date of the refusal of the second property or any decision on appeal.

Applicants who refuse three offers of suitable sheltered accommodation for older people for which they are eligible will not be able to bid for six months.

Applicants who have been placed in a band based on urgent need to move who refuse two offers of suitable accommodation will have their application reconsidered and the urgency of their need to move will be removed. This will result in them being placed in a lower band.

Homeless applicants who refuse one offer of suitable accommodation will be removed from the band recognising their homelessness and the Council will
have discharged its statutory homeless duties. This may require an applicant to leave their temporary accommodation.

Applicants will have the right to appeal against any decisions to suspend bidding or remove priority.

**Review of housing register and allocation policy decisions**

Applicants can request a review of a decision concerning their housing register application or suspension from bidding. Applicants must make a request for the review within 21 days from the date of the decision.

Applicants must request a review in writing stating the following:

The reason for the request for a review
Identify where they believe existing information concerning the application or circumstances have not been properly taken into account
Identify new information which should be taken into account.

The request should include any new documentary evidence to support the request for review

If applicants wish to make oral representations to the officers undertaking the review they should request this in advance. Arrangements will then be made to hear the representations. Representations will be heard from a third party if signed authorisation is received from the applicant.

The review will be undertaken by the Housing Options Manager and the Head of Housing Strategy and Needs. If either of those officers has a prior involvement in the applicants the case the Chief Officer: Housing will undertake the review with one other officer.

Reviewing officers will make further enquiries as necessary to determine the review. The review can take legal and other expert advice as necessary to determine the review.

The review should be completed within 28 days of the request. If the review will take longer due to investigations the applicant will be written to stating the date by which the review will be concluded.

Applicants will receive the decision of the review in writing stating the reasons for the decision. There will be no further right of appeal against the decision.
### Appendix 1

**BANDING SCHEME**

<table>
<thead>
<tr>
<th>Band A – Emergency</th>
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<tbody>
<tr>
<td>• Urgent need to move due to violence, harassment, protection issues;</td>
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<td>• Severe or life threatening medical need;</td>
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<td>• Statutory notices;</td>
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<tr>
<td>• 3 or more categories of need from Band B.</td>
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<tr>
<td>• RSL Decants for major works or re-development (where scheme has been agreed with the Council)</td>
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<tr>
<td>• RSL under-occupying successors</td>
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<tr>
<th>Band B – Urgent</th>
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<tr>
<td>• Priority need accepted homeless households in temporary accommodation with Bracknell Forest Council for 7 months or more</td>
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<td>• Overcrowded by 2 bedrooms or more as defined by the bedroom standard</td>
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<tr>
<td>• Medical need has a severe impact on normal life and likely to deteriorate;</td>
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<tr>
<td>• Need for adapted housing;</td>
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<tr>
<td>• Household has avoided homelessness 5 or more times since being on the Housing Register by securing alternative private rented accommodation</td>
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<tr>
<td>• Need to move to a locality to give/receive support to maintain independent living;</td>
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<tr>
<td>• Under occupying RSL tenants moving to 1 bed or older persons accommodation</td>
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<tr>
<td>• Releasing adapted property;</td>
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<tr>
<td>• Moving on from Supported Housing;</td>
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<tr>
<td>• 3 or more categories of need from Band C;</td>
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<tr>
<td>• change of property type (in Band B for limited period)</td>
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<table>
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<tr>
<th>Band C – High</th>
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<tr>
<td>• Priority need/accepted homeless households in temporary accommodation with Bracknell Forest Council for less than 7 months</td>
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<tr>
<td>• Overcrowded by one bedroom as defined by the bedroom standard</td>
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<tr>
<td>• Medical need is stable and has a moderate impact on normal life</td>
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<tr>
<td>• High social / welfare needs (identified by external agency);</td>
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<tr>
<td>• Household has avoided homelessness 4 times since being on the Housing Register by securing alternative private rented accommodation</td>
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<td>• Need to move to a locality to be close to specialist facility;</td>
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<tr>
<td>• 3 or more categories of need from Band D.</td>
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<table>
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<tr>
<th>Band D – Medium</th>
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<tr>
<td>• Homeless applicants, for which there is no statutory duty</td>
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<td>• Households with children under 10 years living in flat 1st floor or above with no lift</td>
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<td>• Household has avoided homelessness up to 3 times since being on the Housing Register by securing alternative private rented accommodation</td>
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<td>• Living with family / friends or other sharing arrangement</td>
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<td>• medical need has a minor impact on normal life</td>
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<td>• Need to move to a locality to give/receive support to reduce social isolation</td>
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<th>Band E - Low</th>
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<tbody>
<tr>
<td>• Applicants who do not fall into above bands.</td>
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<tr>
<td>• Applicants with sufficient financial resources to meet their housing need</td>
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## Appendix 2

### Size of accommodation you may be eligible for.

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<tr>
<th></th>
<th>Single person</th>
<th>Childless couple</th>
<th>Single OAP</th>
<th>Couple OAP</th>
<th>1 child family</th>
<th>2 child family</th>
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<td>Warden Assisted 2 Bed Bungalow</td>
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<td>1 Bed House</td>
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