



POLICY	Voluntary Right to Buy – Portability
Date Adopted	July 2018
Date of Next Review	March 2020 or sooner as required
Version	1.0
Responsible Body	Homes Board
Responsible Officer	Company Secretary and Head of Legal Services

1. Overall Policy Statement

- 1.1 This policy sets out the Housing Plus Group’s (subsequently referred to as the Association) approach to managing portability of discounts under the Voluntary Right To Buy (VRTB) Midlands Pilot of the scheme. It has been produced as a response to the Housing and Planning Act 2016 and the voluntary deal negotiated between the National Housing Federation (NHF) and Government.
- 1.2 The policy incorporates legislative requirements and best practice, principally from the Guidance for Housing Associations issued by the Government, whilst also allowing for a flexible approach that the business requires to allow best management of stock and to meet its corporate and charitable objectives.
- 1.3 The Association has an overall Voluntary Right to Buy policy which should be read in conjunction with this policy.
- 1.4 The policy applies to all landlord organisations in the Group.

2. Portability of Discount

- 2.1 Where an applicant is eligible for the VRTB but their property is not, the applicant will be offered the option of a portable discount to use with the purchase of an alternative property. Ideally this alternative property will be from within the Association’s own stock or development pipeline. If this is not possible, then the Association will look to signpost the applicant to another provider of social housing (Provider) - see below.
- 2.2 The alternative property that is offered need not be a like for like of the property type (i.e. house or flat) that the applicant currently inhabits but should be suitable. Suitability will be based on the needs and circumstances of the applicant/s and will be determined by the Association.
- 2.3 The Association will only make one reasonable offer of an alternative property. If that offer is refused, the VRTB application will be cancelled.
- 2.4 Where no alternative property is available, the Association will assist the applicant in finding a suitable property within another Provider’s stock. Who the Provider is will depend on the local agreements in place at the time of the

application. For the purpose of this policy, assistance will be limited to offering advice and signposting to the relevant alternative Provider only.

2.5 If a suitable alternative property is offered (whether from within the Association's stock or that of another Provider) and is refused, no further support will be offered by the Association to assist the applicant in finding another alternative property.

2.6 The level of discount which the applicant will be entitled to will be determined by the alternative property that is offered.

3. Portability Principles

3.1 The following principles apply:

- Only eligible customers whose property is exempt from the Voluntary Right to Buy (VRTB) can port their discount;
- Both applicant and property (the property being ported to) eligibility must be confirmed before an offer of portability is made.
- Housing Plus will support applicants with portability only with signposting; the applicant is expected to identify a suitable alternative property themselves;
- Housing Plus will have the final say on whether a property in our stock is suitable;
- There is a three month period to identify a suitable alternative property, accept an offer of this accommodation and secure a mortgage offer (this is linked to time limits within government guidelines and the need to manage applications effectively)
- Porting options are as may be agreed and published from time to time but may include:
 - From the new build development programme
 - Via current allocations policy
 - Via a mutual exchange or transfer if permitted under the tenancy agreement
 - From a partner organisation
- The VRTB application will be cancelled if the applicant:
 - Does not want to exercise porting option
 - Does not find a suitable alternative property within three months
 - Makes an alternative arrangement (i.e. moves into private rented accommodation or completes a market sale)
 - Turns down a reasonable offer of an alternative property
 - Breaches the tenancy agreement as defined in the VRTB Policy
 - Ends tenancy and is no longer a tenant with Association
- A reasonable offer of alternative accommodation will need to reflect that:
 - The identified property is eligible for the VRTB
 - The identified property has the same or fewer bedrooms than the applicant's current property
 - The property is within the Association's area of operation

- If the applicant approaches another Provider, that Provider's VRTB policy will apply for property eligibility etc. Equally, if an applicant from another Provider approaches us, the Housing Plus VRTB policy will apply.
- All valuations and discount calculations are based on the property that the applicant moves to not the original property which the applicant occupies.

4. Appeals and Complaints

4.1 Should an applicant feel that the policy or procedure relating to portability of discount has been misapplied to their application, or that the decision is against legislative requirements, they may request an internal appeal of the decision. Appeals will be administered through the existing complaints process.

5. Consultation

5.1 The Government and NHF have consulted with the housing providers involved in the pilot.

6. Links to Other Policies, Procedures or Documents

6.1 The following policies are associated:

- Sale of Dwellings
- Voluntary Right to Buy
- Release of Restrictive Covenants and Granting of Easements
- Shared Ownership
- Anti Social Behaviour
- Income Management
- Anti Fraud
- Anti Money Laundering
- Probity
- Charging

The Guidance to Housing Associations issued by the Ministry of Housing, Communities and Local Government and National Housing Federation is also relevant.

7. Monitoring and Review

7.1 This policy will be reviewed from time to time as the VRTB pilot proceeds and formally at the end of the pilot (planned for March 2020).