

EXECUTIVE COUNCIL

CONFIDENTIAL

Title of Report: Proposed Changes to the Housing Policy

Paper No: 02/11

Date: 27 January 2011

Report of: Director of Public Works

1.0 Purpose

The purpose of this paper is to seek approval for proposed changes to the Housing Policy and supporting documentation to address perceived shortcomings.

2.0 Recommendations

It is recommended that the following additional and amended clauses (bold text is additional to existing) be included in the eligibility section of the Housing Allocations & Policies Document and in the Housing Assistance Application Form

(1) *that returning residents as Status holders and those with PRP are resident in the Islands for a period of 24 consecutive months prior to being considered for inclusion on the Housing List, other than as provided for in Priority 3 of the Allocation Policies & Principles (approved by Executive Council February 2006)*

(2) *Have rendered themselves homeless through abuse of a previous tenancy*

“i.e. you are not eligible for FIG accommodation if in the past you have previously occupied an FIG property and were either evicted from the property for behaviour contrary to tenancy requirements or left the property leaving unpaid rentals or unjustified damages to the property or indeed where there is a track record of abuse of any tenancy agreement.”

(3) *If you own, or have owned property within the last twelve months you are not eligible to apply for FIG accommodation unless:

You have sold a property because your marriage or relationship broke down and ownership of the property did not remain with you as part of settlement, you must include documentary evidence of the sale when you submit your application.

OR

You have signed a legal document irrevocably agreeing to transfer your ownership of the house *more than twelve months ago*, if this is the case, you may apply for FIG accommodation even if the title deed to the house is still in your name, provided you are no longer living in the property. If this applies to you, please provide documentary evidence when submitting your application.”

3.0 Summary of Financial Implications

There are no financial implications.

4.0 Background

There have been incidences in the recent past where Falkland Islands residents have returned to the Islands after an extended absence, immediately sought housing from the Falkland Islands Government and been allocated this because their Status and situation gave them sufficient points to warrant an allocation.

These returning residents have therefore taken up properties which might have been allocated to individuals and families who have been on the housing list for longer, have almost identical points and who have contributed to the economy of the Falkland Islands in the recent past.

4.1 The Current Policy

The current policy for eligibility for Government housing is as follows:

Residents who are 18 years or over and either:

- enjoy Falkland Islands Status, or
- are holders of a Permanent Residence Permit who have held their permit for a minimum of 4 years if granted on or after 25 November 2004.

This allocation policy, which has been in place since March 2006 requires that all applications must be prioritised by a points system.

Apart from determining the order of priority for all applications, the points system serves to ensure a fair and consistent assessment of each application as it takes into account only the facts of an applicant’s circumstances rather than potentially discriminating against an applicant because of their character, reputation or by assumptions.

The points system is intended therefore to make best use of the FIG housing stock to accommodate residents with genuine needs.

The Housing Allocation Policy further states that the order of priorities are:

- 1 – **contract officers** (it is part of contractual obligations of recruitment to ensure accommodation is available for each overseas contract post)
- 2 – **residents with special needs** (this includes but is not limited to disability, ill-health, age, dependent children, financial circumstances)
- 3 - **other residents** (with no great priority)

4.2 The Waiting List

There is a waiting list for Government housing which currently hosts approximately 36 applicants. The number of people on the list varies from time to time depending on individual circumstances. It is considered unfair for returning residents to go onto the Housing List and to be accommodated before folk already resident in the Falkland Islands and who have been on the list for some time (current waiting time of up to 3 years).

4.3 Proposal from the Housing Committee to apply additional terms to returning Status holders

The issue of returning residents gaining immediate access to housing had been raised by MLAs and was discussed at a meeting of the Housing Committee (17th September 2010) where it was decided that persons with Status or holding PRP returning to the Falkland Islands (and who had not been absent due to undertaking training, medical treatment or working in the armed forces as provided for in the existing policy should be resident in the Islands for a period of Twenty Four (24) months before becoming eligible to apply for Government assisted accommodation.

It is therefore proposed that the paragraph below be accepted as a new condition for eligibility:

- *that returning residents as Status holders and those with PRP are resident in the Falkland Islands for a period of 24 consecutive months prior to being considered for inclusion on the Housing List, other than as provided for in Priority 3 of the Allocation Policies & Principles (approved by Executive Council February 2006).*

4.4 Application Form amendments

Further clarification is intended in respect of the Application Form, where it is thought necessary to include additional wording for clarification purposes and to reinstate conditions which had previously been included on the form and whose removal was not now considered appropriate.

Under Part 9 of the Application Form, it is proposed to amend the wording (additional text shown bold) with regards to property ownership to read as follows:

“*If you own, or have owned property within the last twelve months you are not eligible to apply for FIG accommodation unless:

You have sold a property because your marriage or relationship broke down *and ownership of the property did not remain with you as part of settlement*, you must include documentary evidence of the sale when you submit your application.

OR

You have signed a legal document irrevocably agreeing to transfer your ownership of the house *more than twelve months ago*, if this is the case, you may apply for FIG accommodation even if the title deed to the house is still in your name, provided you are no longer living in the property. If this applies to you, please provide documentary evidence when submitting your application.”

The following additional clauses are proposed to the points system/application form to discourage poor behaviour and to rule out those making themselves homeless by reason of being a poor tenant / non-payer / damage to property, etc.

- *Have rendered themselves homeless through abuse of a previous tenancy*

“i.e. you are not eligible for FIG accommodation if in the past you have occupied an FIG property and were either evicted from the property for behaviour contrary to tenancy requirements or left the property leaving unpaid rentals or unjustified damages to the property or indeed where there has been abuse contrary to any tenancy agreement.”

Additionally, the Housing Officer will be empowered to request references from previous landlords and others in order to ascertain whether the applicant would be suitable for FIG accommodation.

Amendments have been made to the application form and guidance notes at appendices A and B which reflect these proposed changes.

5.0 Financial Implications

None

6.0 Legal Implications

The changes proposed in this paper seem reasonable and justified and no legal implications arise from them.

Matters may prove to be more difficult in practice if a family of returning residents including children cannot afford to live in anything other than Government assisted accommodation, but that can be considered on a case by case basis with the input of social services

7.0 Human Resources Implications

None



FALKLAND ISLANDS GOVERNMENT

Housing Application Form Guidelines

The guidelines listed below are to assist you when completing your Housing Application Form.

Please note that the demand for FIG accommodation is very high. A successful application does not guarantee that you will be offered a property in the short to medium term and you should continue to make every effort to secure accommodation in the private sector unless there is a recognised urgency to house you.

1. APPLICANTS DETAILS

Full details are required to enable your application form to be processed as quickly as possible. **Please note that you must be 18 years old or over to apply for FIG Housing.**

On submitting an application you will be called to an informal interview with the Housing Officer to discuss your situation in more detail so that the Housing Committee can make a fully informed decision as quickly as possible. Please be assured that the interview is very informal; however, completing this form in as much detail as possible will minimise the amount of time required to conduct the interview.

2. ELIGIBILITY

Eligibility is the most important factor when completing your Housing Application Form, as without it you do not qualify for FIG Housing regardless of your situation. To be eligible for FIG Housing you must either have Status or have held a Permanent Residence Permit for a minimum of 4 years (if granted on or after 25 November 2004), *and*

(1) *that returning residents as Status holders and those with PRP are resident in the Islands for a period of 24 consecutive months prior to being considered for inclusion on the Housing List, other than as provided for in Priority 3 of the Allocation Policies & Principles (approved by Executive Council February 2006)*

(2) *Have rendered him/herself homeless through abuse of a previous tenancy*

“i.e. you are not eligible for FIG accommodation if in the past you have previously occupied an FIG property and were either evicted from the property for behaviour contrary to tenancy requirements or left the property leaving unpaid rentals or unjustified damages to the property or indeed where there is a track record of abuse of any tenancy agreement.”

If you need assistance to determine your immigration status, please contact the Immigration Officer at the Customs & Immigration Department, “H” Jones Road, Stanley. e-mail: immigrationofficer@customs.gov.fk or Telephone 27340

3. SPOUSE/CO-HABITING PARTNER’S DETAILS

Your spouse/live-in partner’s details will be taken into account when considering your application, so it is important that you provide complete information about him/her.

4. FAMILY DETAILS

You must provide details of all family members who will be living with you to enable the Housing Committee to determine what size property will best suit your needs. Due to the high demand for FIG

housing, it is possible that if you are allocated a property it may not be the best type and/or size to cater for your needs and you may therefore be placed in a less suitable property; however, you may be eligible for a transfer on application at a later date.

5. SUPPORT & SPECIAL NEEDS

If your application is based on a requirement for support or special needs the Housing Officer will liaise with the Health & Social Services Department.

6. EMPLOYMENT

This information will enable the Committee to determine the best method for you to pay rent if you are offered a property. Please note that if you are allocated a property and are employed by FIG, your rent will be deducted by the FIG Payroll Manager. If you are not employed by FIG, you will be expected to set up a Standing Order with the Standard Chartered Bank as part of the tenancy agreement regarding payment of rent. There is a rent rebate scheme for individuals who are offered a property but are not earning an income. For further information about the rent rebate scheme, please contact the Treasury on Tel: 27143.

7. FINANCIAL STATUS

Providing details about income and savings for all members of the household over the age of 16 is necessary as your application for FIG housing will be “means tested” to determine your ability to accommodate yourself (and/or your family) in the private sector.

The financial information that you provide will also enable the Housing Committee to determine what type or size of property you/your family can afford.

Please note that you may be required to provide evidence of income and/or savings to the Housing Committee at any time.

8. SUPPORTING INFORMATION

Information provided in this section will be taken into account when assessing your application. Apart from answering the questions, a space has been provided to give you the opportunity to advise the Committee of any other factors that you would like them to take into account when considering your application.

9. ACCOMMODATION AND/OR PROPERTY DETAILS

Your current accommodation situation and property ownership factors will be taken into account when deciding and/or prioritising your application. *In addition, the Housing Officer may request references from previous landlords to ascertain the suitability of the applicant for FIG accommodation.*

10. DECLARATION OF APPLICANT

Please read the declaration carefully and make sure you sign it. Applications that have not been signed cannot be considered.



FALKLAND ISLANDS GOVERNMENT

January 11

Housing Application Form

Public Works Dept, Ross Road, Stanley, FIQQ 1ZZ
 Telephone 27193, Facsimile 27191
 E-mail housing@pwd.gov.fk

This form is to be completed if you wish to be considered for FIG Housing only

Please answer all the questions as fully as possible in order for your form to be processed without unnecessary delays. Remember we need to know about your circumstances in order to make an accurate assessment of your situation. All information will be treated in the strictest confidence.

Before completing this form please refer to the guidelines attached. Should you have any queries, or require assistance completing the form, please contact the Housing Officer, Public Works Dept.

1. Applicant's Details

Title Forename Surname

Date of Birth / / Nationality now
 Nationality at birth if different

Current Address:

Who owns this property No. of Bedrooms

Who else lives in the property

Telephone Numbers **Work:** **Home:**

e-mail address:

Date of entry /return to the Islands:

2. Eligibility

Persons not having Falkland Islands Status are not eligible for FIG accommodation. Similarly the holder of a Permanent Residence Permit (PRP) granted on/after 25 September 2004 must hold their PRP for 4 years in order to apply. Returning Residents are required to be in the Islands for a minimum of 24 Months before applying.

Do you enjoy Falkland Islands Status (FIS)? YES NO

If yes, please tick the box which describes how you enjoy FIS:

Birth Parent's birth Naturalisation/Registration Residence Marriage*

Application If by application please quote your Certificate No. and Date of Issue

* Persons enjoying FIS by marriage, lose that Status if living apart from their spouse under a decree of a competent court or on signature of a deed of separation.

Do you hold a Permanent Residence Permit (PRP)? YES NO

If YES, please quote your Certificate No. and Date of Issue:

3. Spouse/Co-habiting Partner's Details

Title Forename Surname

Date of Birth / / Nationality Now
 Nationality at birth if different

Current Address:

Does he/she enjoy Falkland Islands Status (FIS)? YES NO
 If yes, please tick the box which describes how they enjoy FIS:

Birth Parent's birth Naturalisation/Registration Residence Marriage*

Application If by application please provide Certificate No.
 and Date of Issue

* Persons enjoying FIS by marriage, lose that Status if living apart from their spouse under a decree of a competent court or on signature of a deed of separation.

Does he/she hold a Permanent Residence Permit (PRP)? YES NO
 If YES, please quote the certificate number and date of issue:

4. Family Details

Please give details of **all** other persons who will be living with you

	Forename	Surname	Date of Birth	Sex	Relationship to you
1	<input type="text"/>	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>	M / F	<input type="text"/>
2	<input type="text"/>	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>	M / F	<input type="text"/>
3	<input type="text"/>	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>	M / F	<input type="text"/>
4	<input type="text"/>	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>	M / F	<input type="text"/>
5	<input type="text"/>	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>	M / F	<input type="text"/>
6	<input type="text"/>	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>	M / F	<input type="text"/>

Are you, or is anyone to be housed with you, pregnant? YES NO

If YES, when is the baby due? / /

5. Support & Special Needs

If you require special adaptations to your property, please specify your requirements in the space provided:

6. Employment Details

Please state your

Employer's name and address:
(If you are not employed write "N/A")

If you are employed, are you paid Monthly? Weekly? (tick box which is applicable)

Is your wage/salary paid into the Standard Chartered Bank? Yes No (tick box which is applicable)

Is your spouse/partner employed? No Yes, Full time Yes, Part time (tick box which is applicable)

If employed, is your spouse/partner paid Monthly? Weekly? (tick box which is applicable)

7. Financial Status

Please use the boxes below to declare financial information for ALL persons aged 16 years or over (and not in full time education) that will form part of the household if you are allocated a property:

NAME	GROSS ANNUAL INCOME (including investment returns and/or benefits)	TOTAL SAVINGS (including those overseas)
<input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
<input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
<input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
<input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
<input type="text"/>	£ <input type="text"/>	£ <input type="text"/>
<input type="text"/>	£ <input type="text"/>	£ <input type="text"/>

PLEASE BE AWARE THAT YOU MAY BE REQUIRED TO PROVIDE DOCUMENTARY EVIDENCE OF INCOME AND SAVINGS. **PERIODIC REQUESTS MAY BE MADE TO CONFIRM FINANCIAL STATUS THROUGHOUT YOUR TENANCY AND ON APPLICATION TO EXTEND YOUR TENANCY**

8. Supporting Information

Please answer the following questions to enable the Housing Committee to assess your application:

i. Why are you applying for FIG accommodation?

ii. What efforts have you made to secure accommodation in the private sector?

iii. Do you intend to buy or build a property? YES NO

If YES, please give brief details

iv. Have you been an FIG tenant before? YES NO

If YES, please provide brief details:

Address:

Length of Tenancy:

Reason for Vacating:

Please use the space below to provide any other information which you would like the Committee to take into account. Continue on a separate sheet if necessary.

9. Accommodation and/or Property Details

Please tick one of the boxes below to show your current housing circumstances:

FIG Tenant Private Sector Tenant YMCA Lookout Lodge
B&B Living With Relatives *Property Owner No Fixed Abode

How much rent/mortgage do you pay each month?

If you are a property owner please state the address of the property and what it is used for:

Address:	Use of Property:

***If you own, or have owned a property within the last twelve months you are not eligible to apply for FIG accommodation unless:**

you have sold a property because your marriage or relationship broke down **and ownership of the property did not remain with you as part of the settlement**. If this applies to you, you must include documentary evidence of the sale when you submit your application.

OR

you have signed a legal document irrevocably agreeing to transfer your ownership of the house **more than twelve months ago**. If this is the case, you may apply for FIG accommodation even if the title deed to the house is still in your name, provided you are no longer living in the property. If this applies to you, please provide documentary evidence when submitting your application

Declaration of Applicant

Personal information provided in this application will be treated as confidential and will only be divulged to members of the Housing Committee and FIG staff dealing with housing matters.

I declare that the information given is correct and complete and that I understand that action may be taken against me if I obtain accommodation as a result of giving false or misleading information.

I understand that the Falkland Islands Government may check and verify the information given in this application

I understand that I must notify the Housing Committee of any changes affecting my application as soon as they occur.

I have read and understand the instructions given in this form.

I understand that the Housing Officer may check with previous landlords and request a reference as to my suitability and track record as a tenant.

I understand that it may take up to 6 weeks for my application to be considered (unless urgent circumstances prevail) and that I will be called to an informal interview with the Housing Officer to clarify and expand on the information given in this application

If my application to be added to the housing list is successful, I undertake to advise the Housing Committee before travelling abroad for 6 months or more, *other than for medical or educational purposes*. I understand that failure to do so will cause my name to be removed from the list, ***and I will have to wait a further 12 months before becoming eligible to re-apply to go back on the Housing List.***

Before signing and submitting, please ensure that you have completed all sections fully.

Signed:

Date:

Are you or any other member of your household related to any member of the Housing Committee?

YES

NO

If YES, please state

Name of Relative:

Relationship to you:

Official Use Only

Date application received

Date of informal interview

Date application considered by the Committee

Date Assessed

Assessor

File/Ref No.

POINTS SCORED ON ASSESSMENT

Children

House-share

Over-crowding

Eviction Deadline

Medical

Social

RRQP

Past Record

Employment

Savings

Transfer

TOTAL SCORED