

## *Good practice notes for LAs when assessing RSL rents*

- 1 LAs must make a decision under the regulations when assessing whether to refer an RSL case to the rent officer but you must not have a blanket policy of either referral or non-referral. However, set, uniform procedures for assessment of each case should be put in place for staff to follow, backed up by training and written guidance to achieve consistency and fairness.
- 2 You could, for example, set trigger rent levels for different bands of property: for instance, 1 bed, 2 bed, 3 bed properties in the area. RSL rents significantly above the trigger points could then be considered further for possible referral to the rent officer if it is felt the rent is unreasonably high in the particular circumstances.
- 3 Any trigger rent levels would have to be regularly reviewed by the authority to ensure they reflect movement within local housing markets. You could consider setting up liaison arrangements with your rent officers to get advice on the levels of trigger rents.
- 4 When making the decision about what is unreasonably high you need to look at the circumstances of the case, for example by comparing with locally available rents for similar types of accommodation. If you are satisfied the rent is reasonable according to set criteria, there would be no need to refer to the rent officer. Remember, LAs must make a decision regarding referral, see paragraph 3(1) of Schedule 2, but it must be made in a reasonable and justifiable way, following set procedures designed to ensure some consistency is achieved by an authority over time between individual cases with similar or the same accompanying factual circumstances
- 5 Also, as mentioned in the *HB/CTB Performance and Good Practice Guide - Working with organisations - Working effectively with landlords and minimising reposessions*, it is good practice to work closely with your RSL partners and to create a Service Level Agreement between both parties
  - letting them know what criteria you're using. This raises their confidence in the HB system, and
  - if appropriate, encouraging them to work with you on HALS-style schemes, which can be a cost-effective way of providing decent quality temporary accommodation, rather than relying on bed and breakfast
- 6 HB/CTB staff will need to liaise with other departments within the LA (notably Housing and Homelessness Sections) in developing and implementing procedures in regard to RSL referrals to the rent officer. This will help ensure effective delivery of corporate policy objectives, for example reducing reliance upon bed and breakfast accommodation for homeless households, while avoiding conflicts in policy delivery.

