

# Council Housing

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If private renting is not an option for you, there are public and social housing options that may be more suited to your requirements. Council housing, also known as public or local authority housing, is attractive to some as it offers affordable rent and longer, more stable contracts. It also places no restrictions on individuals receiving benefits as some private letters may, and often offer their tenants stronger rights than private residents enjoy. However, demand for housing is much higher than the supply of houses, so waiting lists can be long and preference is often given to those most in need.

## What is Council Housing?

A council house is a property managed and rented by the local authorities. You will generally pay less rent on a council house than a privately rented house, and may even be able to get housing benefits to cover the entire rent if you are in a bad financial situation. They are also attractive as they tend to be a more stable housing option due to longer contracts.

Council houses are inspected on a regular basis to ensure that they are safe, as the local authority takes responsibility for certain repairs. For example, while you are responsible for small jobs such as repairing a curtain rail or damage you have caused, the local council will ensure that the structure and facilities are safe, such as making repairs to the roof or checking on gas or electric appliances.

Depending on the type of tenancy you have, you may be able to make your own improvements on your home. Council house tenants have the freedom to decorate the interior of their home, and if you are a secure tenant you may also be able to decorate the exterior and make more substantial changes, such as installing a new bathroom or kitchen or putting up a shed or greenhouse. In some cases, you will need written permission from the council to make these changes, but in general you have more room to alter your home than you would renting from a private landlord.

## Who is Eligible for Council Housing?

In most cases, you can apply for council housing when you are 18, but a few councils allow applications from those 16 and older. Each council will have its own rules regarding council housing. Known as an 'allocation scheme' or 'housing register', this will lay out who can or cannot apply for council housing in the area, as well as who gets priority when housing is allocated. For example, you may have to live or work in the area, or have an income under a specified amount. You should speak to the council for the area you are looking to apply for to find out about their allocation scheme and if you are eligible to apply for a council house.

Certain groups of people are also given priority over council housing, which this article will explain later. To find out if you are eligible to apply for council housing and whether you will be given priority, speak to your local council.

## Applying for Council Housing

You can find application forms for council housing on your council's website, but you can also pick one up in person from their housing department. The information you provide on this form will be used by the council to decide if you are eligible for council housing and, if so, how much priority you are given.

The application form may ask you for information such as the age and gender of anyone living with you, your income, your current living condition and your reasons for wanting to move. It is important that you give as much information as you can, even on topics you may consider to be private (for example, any details on your health or the situation in your current home, if relevant), as it may help you get higher on the waiting list and get you a house faster. You should also include any evidence to support your claims (eg. Letters from doctors or hospitals, police reports, photographs) and be aware that



the council may ask to contact someone, such as your doctor or solicitor, to support your application if necessary. Above everything else, remember that the information you provide on this application form will be kept confidential, so you should be entirely honest about your situation.

If your application is accepted, you will be placed on a waiting list. How long you will have to wait depends on your priority status and the availability of housing within the area. If you are rejected, the letter of rejection will explain why. You may be able to appeal the decision or have it changed by judicial review with the help of an adviser, or you can apply again later when your situation changes.

## 'Reasonable Preference'

When deciding how to allocate council housing, the local authorities will always give priority to certain groups over others. These are people who are most in need of housing, such as the homeless or soon-to-be homeless, those living in bad or overcrowded conditions, or those at risk in their current home or area. These individuals will be allocated additional points to give them a higher place in waiting lists as their situation is exceptional and they need to be dealt with faster than others.

Who gets priority may differ between councils, so you should speak to your local authority to find out how priority is decided. Typically, you will get priority if you: have lived in the area for a certain amount of time; are homeless, or about to become so; are living in poor conditions, such as a house in disrepair or in an overcrowded place; have a health condition which is made worse by your current place of residence, including any mobility issues, or mental health issues that are made worse by your current residence; are at risk in your current home – for example, if you are a victim of domestic abuse, have witnessed or been a victim of a crime, or are victim of harassment or assault in your area due to race, sexuality etc.

Remember, it is also possible to lose priority. For example, if you have a history of rent arrears or antisocial behaviour, or if your conditions change (you recover from illness or settle in a permanent residence), the council can take away previously earned priority.

## House Allocation

When allocating you a house, your council should either allow you to identify an area you would prefer to live in or offer a choice-based letting scheme. Though you are able to identify an area you would like to live in, this does not guarantee that you would get a house in this area, but the council will try to meet your preferences as much as possible.

Where choice-based letting is not available, the local authority must offer you a house which is suited to your requirements. This includes considering its location, if it is the right size for your household, its condition, affordability and accessibility. You should ask your council how many offers they will give you when you make your application, as many will only make one offer and in cases where they will make multiple offers, it is unlikely that you will be offered a choice – you will have to reject one to get another. However, if you believe that the house you have been offered is unsuitable for you or your family, you can challenge the decision. It is advisable to seek help from an advisor if you are in this situation, as they will be able to help you prove its unsuitability.

Many councils are now operating a choice-based letting system, which allows potential tenants more choice over where they are housed. In this scheme, available houses are advertised locally – posted online and printed in leaflets/newsletters available from places such as libraries and council offices. These adverts will usually specify who can bid for them, for example the elderly, disabled, or a small or large family. Those on the waiting list can then place a bid on the house or houses they are interested in. Your local council will specify how many houses you can bid on at any one time. Finally, the council will sort the bids in order of priority. Usually, the person with the highest priority will be offered the property first, and those with lower priority will be offered if they refuse.

## Tenancy

When you are allocated your council house, there are a number of types of tenancy based on how long you have been a tenant and your behaviour during your tenancy. Usually, you will be offered a year-long 'introductory tenancy' as a new tenant. This is like a trial period, and during this time your rights are relatively limited. For example, you cannot make any major renovations to your home, apply to buy your home or swap your home with any other council tenants. At the end of this introductory period, you will automatically become a 'secure tenant' unless your council has started action to evict you or extended your introductory tenancy for up to six months.

As a secure tenant, you have an indefinite contract – you can live in your council home for the rest of your life, providing you do not break the terms of your contract, and you will not have to renew your contract. Secure tenants have more rights, such as being able to carry out more significant alterations to your home (though you



may need council permission for some work), being able to let out rooms in your house (but not the entire house), swap your home with other council tenants and buy your property through council schemes. However, if you behave antisocially, are a nuisance in the area, or use your house for illegal activities, you could become a 'demoted tenant'. The council has to follow a strict procedure to demote your tenancy, starting with a written notice and ending with a court order, but once your tenancy is demoted you have similar rights to that of an introductory tenant, which makes it easier for you to be evicted if you continue to act inappropriately. A demoted tenancy will usually last for a year, after which you will become a secure tenant automatically unless the council has started to take court action against you.

Finally, many councils are now starting to give new tenants a 'flexible tenancy'. Whether or not you are offered this type of tenancy depends on your local council. This type of tenancy operates similarly to secure tenancies, in that they are issued after your introductory period, and you have similar rights; you can rent out rooms in your home and swap with other council tenants, and buy your home using council schemes. However, unlike secure tenancies, they are not indefinite. Usually, flexible tenancies are at least 5 years long, but in some cases are between 2 and 5 years. At the end of your flexible tenancy, the council may offer you another fixed term tenancy or a secure tenancy, which will give you stronger rights as a tenant. Alternatively, the council may decide not to renew your tenancy and begin court action to evict you from the house. In this situation, they will have to give you two written notices, the first of which will explain their reasons for deciding not to renew your contract and will offer you opportunity to ask the council to review their decision. You can challenge the decision in this way up to 21 days after your first notice.

## For More Information

If you need any more information on any of the topics covered in this article, you should speak to your local council. As councils differ on how they run their housing, they will be able to give you information which is more applicable to you and your area.

Visit [direct.gov](https://www.direct.gov) to find out how to contact your local council, and for more general information on council housing.