



Falkland Islands  
Government

# GOVERNMENT HOUSING ALLOCATION POLICIES & PRINCIPLES

**April 2015 edition**

**(Agreed by Executive Council on 23 February 2006  
& revised amendments January 2011, May 2013 and  
April 2015)**

Housing Section, Public Works Department, Stanley. Ref: PWD/637/Policy

HO/Housing Policy 2015

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## **1. Terms of Reference for the Housing Committee**

### **1.1 Purpose and Function**

The Housing Committee exists to allocate government housing stock in accordance with FIG housing allocation policies and principles. Its authority to perform this function was approved by Executive Council on 23 February 2006. The allocation function excludes Sheltered Accommodation, which is allocated by the Team Leader Social Services with the final decision made by the Sheltered Housing Committee.

### **1.2 Composition**

The Housing Committee comprises:

- Two Members of the Legislative Assembly
- The Housing Officer (PWD)
- A Social Services representative
- A Human Resources Directorate representative
- A Treasury representative
- A Secretary, PWD Administrative Officer

### **1.3 Chairmanship**

The Chairperson and Vice Chairperson will be Members of the Legislative Assembly. The Chairperson will preside at all meetings of the Housing Committee, except if he is absent or has declared an interest. In such cases the Vice-Chairman will preside.

### **1.4 Meetings**

The Chairman may call meetings at any time but they will be held at least quarterly. Meetings will be in two parts: an open session and a closed session in accordance with the Committees (Public Access) Ordinance 2012.

### **1.5 Minutes**

Minutes will be taken by the Secretary and under the Committees Ordinance must be sent out, marked as draft, to all members and made available to the public within 15 days of the meeting. Minutes will consist of 2 parts: a record of the Open Session and a separate document recording the Closed Session. Closed Session minutes will not be made public.

### **1.6 Delegation to members of the Housing Committee**

Committee functions may be delegated to members of the Housing Committee, subject to the circulation of reports on decisions and activity to all members as the Chairman considers necessary.

### **1.7 Declarations of Interest**

If a member of the Housing Committee has a direct or indirect personal interest, such as a relationship or marriage to an applicant for government housing, in a matter being considered by the Committee, that member must:

- (a) declare that interest; and
- (b) not take part in the Committee's consideration of that matter; but

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(c) the member is not obliged to specify the nature or extent of that interest.

### **1.8 Attendance by non-committee members**

Applicants for government housing may be invited to attend meetings in order to present their case and answer questions in support of their application. Their attendance is not compulsory but may be helpful to them and the Committee but, if they are unable or choose not to attend their applications will be decided on the information available.

## **2. FIG's Obligation and Responsibilities**

- 2.1 The Falkland Islands Government (FIG) is under no legal obligation to house any person except where it has entered into contractual obligations with officers recruited from overseas. FIG is, however, responsible for providing housing for Falkland Island residents who are in need and who are unable to find affordable accommodation in the private sector.
- 2.2 FIG will, through the Housing Committee, attempt to make best use of the resources available to provide accommodation to Falkland Islands residents who are unable to secure affordable accommodation.

## **3. General Principles for Eligibility for Government Housing.**

- 3.1 Subject to the conditions below, Residents will be considered for inclusion on the list eligibility. For the purpose of this policy a Resident is:
- a person holding Falkland Islands Status; or
  - a person holding a Permanent Residence Permit (PRP).
- 3.2 Status holders returning as Residents and those with PRP must be resident in the Islands for a period of 24 consecutive months prior to being considered for inclusion on the Housing List, unless they are being considered under Priority 3 of the Allocation Policy.
- 3.3 Residents will not be considered if they have:
- rendered themselves homeless through
    - abuse of a previous tenancy; or
    - voluntarily vacated suitable accommodation; or
    - moved out of affordable privately rented accommodation in order to appear homeless; or
  - previously occupied FIG property and were either evicted from it for behaviour contrary to tenancy requirements; or
  - left the property leaving unpaid rentals or unjustified damage to it; or

- where there is a record of abuse of any other tenancy agreement, including leaving a property in a serious state of uncleanliness; or
  - refused a property deemed suitable by the housing officer because of inappropriate reasons. If so, they will be taken off the list and not be eligible to re-apply for 12 months unless circumstances change significantly.
- 3.4 Non-Residents (i.e. those present in the Falkland Islands on a temporary basis including work permit holders) will not be eligible for government housing unless they are contract personnel employed with FIG and whose contracts entitle them to government housing under Priority 1 below.
- 3.5 The Housing Officer may also request references from previous landlords (or other relevant parties where the applicant has not rented before) as to the suitability of any applicant for FIG housing.
- 3.6 The Application Form and Guidance notes to accompany the Application form currently in force at the time of application are relevant and covered by and form part of the Policy.

#### 4. Government Housing Priorities

Priority	Explanation, notes and other conditions
<p>1. FIG contract personnel *recruited overseas.</p>	<p>Contract personnel and their recognised immediate dependants who come to the Islands to stay with them in the same property (i.e. spouse or partner and children under 18) have a legal and contractual entitlement to accommodation for the duration of their contract of service with FIG.</p>
<p>2. Residents with special needs who have written letter/s of support from one or more of the following:</p> <ul style="list-style-type: none"> <li>a) The Social Services Team Leader;</li> <li>b) The Chief Medical Officer;</li> <li>c) The Probation Officer;</li> <li>or</li> <li>d) The multi-agency public protection arrangements group (MAPPA).</li> </ul>	<p>Residents with special needs are those whose housing need is particularly acute due to additional factors which may include, but are not limited to, disability, ill-health, age, dependent children, or poverty.</p>
<p>3. Other Residents will be considered for inclusion on the application for government housing list if they:</p> <ul style="list-style-type: none"> <li>a) are at least 18 years of age; and</li> <li>b) are not home owners in the Falkland Islands or overseas (unless, after the permanent breakdown of a relationship they sign a separation agreement or other document in which they agree that eventually they will have no legal interest in their former home, and who are not resident in that home, can apply for Government housing even if their name remains on the title to that property in the meantime.);</li> <li>c) have not sold a property in the 12 months before application (unless the sale is due to the permanent breakdown of a relationship or where a person returns to the Islands having sold a property overseas);</li> <li>d) do not have the financial means to buy or build a house or rent privately in the private sector;</li> </ul>	

	<p>e) are normally resident in the Falkland Islands (temporary absence overseas for education or training, medical reasons or for service in HM Armed Forces will be ignored); and</p> <p>f) are not on the Government debtors list, unless they are able to dispute that debt.</p>
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## **5. Tenancy Agreements**

- 5.1 Everyone allocated Government accommodation is required to sign a tenancy agreement which contains details of the rental and obligations of both tenant and landlord. The tenancy agreement covers matters such as damage to the property, decorating, permissions required for subletting or taking in paying lodgers, carrying on business at the property, maintaining the grounds of the property, and the keeping of pets.

## **6. Limitation of length of tenancy**

- 6.1 Tenancies for residents are normally granted for a maximum term of three years. However, this may be varied according to the particular circumstances of any applicant. Either party to a tenancy agreement may terminate the agreement on giving one month's written notice to the other party. Near to the date of expiry of a tenancy agreement a tenant will be required to justify any extension of their tenancy to the Housing Committee by writing to the Housing Officer. In any case where the Housing Committee considers that the continuation of a tenancy cannot be justified the Housing Officer will write to the tenant giving six months' notice of termination of the tenancy, or such notice as may be reasonable in the circumstances of the case.
- 6.2 When an applicant applies to renew a tenancy they will fill in the same housing application form as when they originally applied for FIG housing stating the reason for applying as a renewal. The application is scored in the same way as the original. Any applicant that now scores 0 points or below will be automatically be referred to the Housing Committee to discuss if they should be offered another tenancy as per section 6.1 above.

## **7. Entitlement to furnished accommodation**

- 7.1 Government contract staff are entitled to furnished accommodation and the rent adjusted accordingly. Unless there are exceptional circumstances, government accommodation is only rented to Residents on an unfurnished basis.

## **8. Housing Requests made by the Team Leader, Social Services**

- 8.1 Requests for government accommodation may be made by the Team Leader Social Services, on behalf of Residents with special needs. These requests for

accommodation will be determined by the Housing Committee following presentation of the full facts of any case by the Team Leader Social Services.

## **9. Financial Circumstances**

- 9.1 In assessing an applicant's suitability for the allocation of government housing the financial circumstances of every adult member of the household will be taken into account. This is to assess the household income and subsequently what points are allocated to each applicant. Periodic requests may be made by the Housing Officer to confirm financial status throughout the tenancy and on application to extend a tenancy.
- 9.2 All applicants must agree to the Housing Officer performing a credit check. This agreement forms part of the application form and is to ensure financial information supplied is correct. The check can be undertaken in the Falklands and elsewhere in the world. If the information provided is found to be false the case will automatically be referred to the Housing Committee.

## **10. Family Circumstances**

- 10.1 In allocating housing, or considering a request for a transfer to a larger or more expensive property, the Housing Committee will take into account the housing needs of the applicant and all members of their household who are Residents (as defined above). The housing needs of members of the applicant's household who are not Residents will only be considered in exceptional circumstances and at the Committee's discretion.

## **11. Transfers**

- 11.1 A tenant who appears on the government debtors list will not be considered for transfer to a larger or more expensive property unless there are exceptional circumstances. This is to protect both the tenant and FIG from increasing the debt.
- 11.2 All tenants wishing to transfer to another FIG property must complete a Transfer Application Form and send it to the Housing Officer.

## **12. Students**

- 12.1 Returning graduates and students are afforded 10 points for the allocation of government housing, and applications from such persons will be considered on their merits along with other applications at the time.

## **13. House sitting**

- 13.1 The Housing Officer, in conjunction with Human Resources Directorate, may use his/her discretion to authorise a suitable person or persons to undertake house

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sitting where a house might otherwise remain vacant, for example, awaiting the arrival of an FIG contract officer.

- 13.2 Where a tenant plans to be absent from their premises for a period exceeding one week, they may arrange with the Housing Officer for someone to house sit for them during their absence.
- 13.3 Persons undertaking house sitting need not be persons on the List of Applications for Government Housing.
- 13.4 House sitting will not normally be permitted for periods in excess of six months unless the Housing Committee agrees otherwise.

#### **14. FIG contract officers transferring to local conditions of employment**

- 14.1 On transfer to local conditions, FIG contract officers may remain in their Government Contractor Pool accommodation for a maximum period of two years whilst seeking alternative accommodation. Eligible applicants may apply for Local Pool accommodation but should do so as soon as possible after moving to local terms as this process can take a long time.

#### **15. Government Rent Rebate Scheme**

- 15.1 Details of this scheme may be obtained from the Treasury Department.  
Tel: 28400  
E-mail: treasurygeneral@sec.gov.fk

#### **16. Points for years on the List**

- 16.1 Points earned for years on the list will be capped at 10 with points still accrued at 5 points per year.

#### **17. FIG Tenants Serving Custodial Sentences**

If an FIG tenant is convicted by a Court and given a custodial sentence of up to 6 months they are entitled to be able to retain a property as long as the rent is still being paid. However, this is not the case if the tenant is receiving a full rent rebate as public funds would be used to accommodate them in prison and maintain their empty property.

#### **19. Changes in Circumstances**

If tenant's circumstances change they will need to give the Housing Officer two weeks written notice so that applications may be reviewed and alternative/more suitable accommodation offered.

Appendix A – Points System

<b>Points Key:</b>	<b>Points Awarded:</b>	<b>Relevant section of Housing Policy</b>
YEARS ON LIST	5 points per calendar year on list. Maximum 10 points	Section 16.1
CHILDREN	10 points for each child under 18	
CHILDREN	5 points if child is accommodated by partner ie weekends	
HOUSE-SHARE	10 points for couple/marriage, 5 for single. For TRANSFER applications not awarded if immediate family sharing (parent/child).	Section 10
OVER-CROWDING	5 point per couple or individual not having their own bedroom	Section 10
DEADLINE	10 points: if applicant has a deadline for eviction; 10 Points where recognised returning student has priority with known return date.	Section 12
MEDICAL NEEDS	Low priority 10 points Medium 20 points High priority 30 points  PROOF REQUIRED.	Section 8.1 & Section 4
SOCIAL NEEDS	Low priority 0 points Medium priority 10 points Critical Priority 30 points  PROOF REQUIRED	Section 8.1 & Section 4
RESIDENTS RETURNING AS QUALIFIED PROFESSIONAL (RRQP)	15 points. PROOF REQUIRED	Section 12.1
Returning Students	15 points.	Section 12
PAST RECORD	Sectioned removed due to relevant policy section.	Section 3.3 & 11.1
SAVINGS	Statements must be submitted for each member of the applicants household including children. First £10,000 no points, deduct 1 point per £1,000 held thereafter.	Section 9.1
EMPLOYMENT	For combined income higher than £15,000 deduct 1 point/£1K over (previous to Aug 08 was £12K, has been increased to £15K to match tax threshold)	Section 9.1

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TRANSFER	10 points subject to satisfactory inspection - relinquishing another FIG resource to reallocate. <b>Note: Only used for renewals</b>	Section 11
AGE	Give 1 point for each year as of 40th birthday of the named applicant. NOT assigned to transfer requests.(If a couple points will be awarded to the oldest eligible applicant)	

Appendix B – Points System for Transfers

<b>Points Key:</b>	<b>Points Awarded:</b>	<b>Relevant section of Housing Policy</b>
OVER-CROWDING	5 point per couple or individual not having their own bedroom (this includes children of different gender who are older than 10)	
MEDICAL NEEDS	Low priority      10 points Medium            20 points High priority     30 points  PROOF REQUIRED.	Section 8.1 & Section 4
SOCIAL NEEDS	Low priority      0 points Medium priority  10 points Critical Priority   30 points  PROOF REQUIRED	Section 8.1 & Section 4
SAVINGS	Statements must be submitted for each member of the applicants household including children. First £10,000 no points, deduct 1point per £1,000 held thereafter.	Section 9.1
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