

thirty days of despatch to the Owner the sum due shall accrue interest at the Interest Rate

#### **4 Affordable Housing**

Prior to the occupation of more than 50% of the Open Market Dwellings.

##### **4.1 The following Affordable Dwellings shall be constructed by the Owner**

Affordable Dwellings to be rented -

- 6 no. two-bedroom flats
- 2 no. two-bedroom houses
- 5 no. three-bedroom houses
- 1 no. four-bedroom houses

Affordable Dwellings to be let on Shared Ownership Leases -

- 4 no. three-bedroom houses
- 2 no. two-bedroom houses

##### **4.2 The Owner shall at all times allocate each Affordable Dwelling to a person who**

4.2.1 (In the case of an allocation to an Affordable Dwelling which is a two bedroom flat) already occupies Affordable Housing in Teignbridge (and if more than one priority shall be given to the person with the largest difference between the size of their existing dwelling and the Affordable Dwelling to be allocated), or

4.2.2 (if no person falls within the criteria set out in paragraph 4.2.1 or in the case of an allocation to an Affordable Dwelling which is not a two bedroom flat) is considered by the Owner to be in need of such accommodation and who in the opinion of the Owner is unable to afford other accommodation in the locality suitable to the needs of himself and his household and who:

4.2.1 has immediately prior to such allocation has been resident within the parish of Kingskerswell or

4.2.2 has a strong local connection to the parish of Kingskerswell

AND in seeking to allocate the Affordable Dwellings under sub-paragraph 4.2.2 the Owner shall (but without limiting its wider discretion in this regard) consider:-

4.2.3 family associations of such person or persons in the parish of Kingskerswell

4.2.4 any periods of ordinary residence of such person or persons in the parish of Kingskerswell not immediately before the date upon which any Affordable Dwelling becomes vacant and/or

4.2.5 whether such person or persons has to have permanent employment in the parish of Kingskerswell

4.3 If the Owner is unable to allocate any of the Affordable Dwellings in the manner referred to in paragraph 4.2 above then the Owner shall allocate any such Affordable Dwelling by applying the procedures contained in paragraph 4.2 above but in lieu of the reference therein to the parish of Kingskerswell there shall be substituted references to the surrounding parishes and towns of Coffinswell, Ipplepen, Abbotskerswell and Newton Abbot

4.4 If the Owner is unable to allocate any of the Affordable Dwellings in the manner referred to in paragraphs 4.2 and 4.3 above then the Owner shall subject to the provisions of paragraphs 4.5 and 4.6 allocate any such Affordable Dwelling to a person or persons ("the nominee") nominated by the Service Lead for Housing for the time being of the Council from the Council's list of persons of priority housing need within its administrative area PROVIDED that the Owner shall have the right to reject an applicant if one of the following criteria is met :-

4.4.1 The nominee has no housing need as defined within the criteria for preference within the Housing Act 1996 (as amended by the Homelessness Act 2002 )

4.4.2 The nominee is not a suitable tenant as defined within the criteria of the Owner's Allocations and Lettings Policy

4.4.3 In the case of an Affordable Dwelling to be let on a Shared Ownership Lease the nominee does not have sufficient cash or income to purchase the required equity share

AND the Owner has the right, whilst acting reasonably at all times in respect of each nomination to reject the nominee by giving notice to the Council and such notice shall state reasons for the rejection and the Council shall have the right to nominate an alternative

4.5 In the circumstances set out in paragraph 4.6 the Owner shall be released from the obligation under paragraph 4.4 of this Schedule and shall be entitled to allocate any vacant Affordable Dwelling to any person who is considered by the Owner to be in need of such accommodation and who is resident in the district of Teignbridge or has a strong local connection with the district of Teignbridge or failing that within the County of Devon

4.6 The circumstances set out in this paragraph shall be the following:-

4.6.1 If no nomination is made by the Service Lead for Housing within one week of notification by the Owner of a vacancy, or

4.6.2 If a nomination has been made by the Service Lead for Housing and the nominee has failed either