

THIS DEED OF NOMINATION RIGHTS is made the _____ day of _____, 2010.

day of

2010

BETWEEN:

(1) whose registered address is at

('the RP') and

(2) MID SUFFOLK DISTRICT COUNCIL of 131 High Street
Needham Market Ipswich Suffolk ('the Council')

Definitions

In this Deed:

- 1.1 "the Gateway to Homechoice SLA" means the Service Level Agreement for the time being in force made between the RP and Others (1) and the Council and Others (2)
- 1.2 'Initial Let' means the first occupancy of such newly constructed and previously unoccupied Unit
- 1.3 "Intermediate Tenure" means the tenure under which the Unit is held other than either a social rented dwelling or an open market dwelling
- 1.4 'Local Connection' means in relation to an individual such individual who in the following order of descending priority
 - 1.4.1 immediately before taking up occupation of a Unit had his only or principal home in the District of Mid Suffolk for a continuous period of not less than 2 years and in the event that there are no or insufficient individuals qualifying for nomination under this sub-clause then nominations shall default to (but with no preference in ranking order) to those individuals fulfilling the criteria set out in the following sub-clauses
 - 1.4.2 has or a member of whose household has a parent adult child brother or sister whose only or principal home is and has been for a continuous period of not

less than 2 years in the District of Mid Suffolk and wishes to be near that relative or

1.4.3 Is employed in the District of Mid Suffolk on the date of the individual's nomination for a Unit and has been continuously so employed for 2 years

1.4.4 who during the period commencing from the date on which a Unit to which such individual is eligible for nomination pursuant to this sub-clause becomes available (for the purposes of this sub-clause called "the Availability Date") can provide satisfactory written evidence to the Council of his or her former residency in the District of Mid Suffolk for either (i) six months out of the preceding twelve months or (ii) three years out of the preceding five years and in either case such period of former residency shall end with the Availability Date

1.4.5 in the event there are no applicants fulfilling the local connection criteria in 1.4.1 to 1.4.4, the local connection shall extend to nominees who have a residence, employment or family connection as defined above within the Greater Haven Gateway Housing sub-region.

1.5 'Nomination List' means the Gateway to Homechoice Short List produced in accordance with the Gateway to Homechoice SLA and the HomeBuy Agency's List of nominees and in the event of any difference between the two lists the HomeBuy Agency's List shall prevail

1.6 'Nominee' means a person named on the Gateway to Homechoice or HomeBuy Agency's Nomination List who satisfies the Local

Connection and is verified by the Council as best meeting the criteria for the category of Unit in respect of which the RP is to select a person and offer an Intermediate Tenure

1.7 'Homebuy Agency' means a Registered Provider who maintains the register of eligible applicants for low cost home ownership products in the Mid Suffolk area

1.8 'Property' means that part of Phase 10C Cedars Park Stowmarket Suffolk shown edged red on the attached plan

1.9 'Gateway to Homechoice' means the Greater Haven Gateway sub-regional Choice Based Lettings system

1.10 'Registered Provider' means not for profit registered provider of social housing as defined in section 80(2) of the Housing and Regeneration Act 2008 and listed in the register kept by the Tenant's Services Authority under chapter III of that Act

1.11 'Unit' means []

1.12 'Vacancy Notice' means a written notice in a form [to be agreed between the RP and given by the RP to the Council within five (5) weeks from the date of this Deed the function of such notice being the notification to the Council by the RP that the construction and fitting out of the Unit is completed] 1.13 'Void' means a Unit which is vacant otherwise than as a result of the tenant having:

1.13.1 moved to other accommodation either by transfer or decant provided by the RP

1.13.2 moved to other accommodation under a reciprocal arrangement provided by another Registered Provider

2 Enabling Provisions

This Agreement is made pursuant to the Local Government Act 1972 Section 111 and all other enabling powers