

Advice and option on being faced with homelessness.

What are the options if you are homeless?

Help:

- The council has a duty to attempt to accommodate certain people who find themselves homeless.

The criteria for re-housing include:

- Homeless
- In priority need
- You are not homeless intentionally
- Eligible for help
- A local connection

Clarification of what it means to be Homeless:

- Being declared homeless means you are without any accommodation.
- Having a roof over your head does not mean you do not qualify for being homeless.
- If the living space you are residing is unsuitable or you cannot remain there you are also classed as homeless.
- If you are likely to be without accommodation in the next 28 days and have been threatened with being evicted you can treat that as being homeless.
- In the case you are under threat of violence (domestic or from a neighbor) in a residence and it is not comfortable for you to stay there you can treat this as being homeless.

Clarification on what being a priority means:

- If you have children of the dependent age residing with you.
- A pregnant individual or a partner who is pregnant.
- An event has caused displacement from a property, such as flooding or a fire.
- If you are classed as a vulnerable individual because you are of old age, have poor health, a disability, are vacating the armed forces, have served a prison sentence or if you have been in foster care.
- If you are of the age of either 16 or 17.
- If you were in care up until the age of 16 and you are now between the ages of 18-21.
- In case you are not priority in terms of the council's criteria, they have the authority to still assist you when looking for some accommodation. There are other options they can do for you.

Clarification of what it means that you have intentionally made yourself homeless:

- A property or accommodation was available for you to reside in but you chose to give up or abandon that accommodation.
- You could continue to live in the accommodation you were residing in only to leave in hope the council will provide you with assistance.
- Prior to this point you were offered accommodation from the council when you made a homeless application previously but you ignored the offer.
- It is the case that you are homeless because you forced your previous landlord into asking you to leave the property.
- It has been made clear that you deliberately took on a new mortgage even though you knew the payments were not going to be made and you were evicted due to building up debt from these payments.

You will not be classed as being homeless intentionally due to the following:

- Fleeing a property due to threat of violence.
- If there has been a change of circumstance while you were residing in a property meaning you can no longer afford the mortgage payments or rent and so have been evicted due to rising debt.
- The property you were residing in was in such a poor condition that it was unreasonable for you to reside in the property for any longer.
- In the case an accommodation was lost due to someone else's actions, which you had no prior knowledge about or even control.

What if I am intentionally homeless with dependent children?

- The council will refer you to Social Services.
- They will potentially help you find a place to live.
- They may even contribute to rent payments or deposits.
- In some cases Social Service may only accommodate the children and the adults will be left to find a place for themselves.

Clarification of a local connection with the area:

- This applies if you have resided in the area for six months in the last year or three years out of the last five years.
- Another connection to an area would be through work.
- Furthermore, a close relative could show your connection.
- An areas hospital facilities or childrens schooling could show an affiliation.
- A council for one area should not help you if you have no affiliation with that area and they should direct you to another council for help.
- If no affiliation with any areas, the first council you have been in contact with should help you.

Clarification on what it means to be eligible for Assistance:

- The majority of people are eligible for assistance and it is only in the case of you are a person from abroad that you may not qualify.
- If you are from abroad, you can still qualify under the circumstances of a refugee, a settled immigrant or under exceptional leave to enter or remain.
- If you are a member of the EU you have a right to assistance.
- For some UK citizens who have been living abroad may have to wait a period of time before they are once again eligible for assistance.

The Council Guidelines towards extent of assistance.

- In the case you are homeless, needing assistance, eligible and in priority the council has a duty to find you some temporary accommodation.
- Once this is then found, the council will make a decision whether to find you some accommodation permanently.
- Any temporary accommodations must be suitable but if you do not think it is, the only way to challenge this would be through the help of a solicitor.
- You should once housed permanently receive an assured tenancy from a registered social landlord.
- You may also be offered a short hold tenancy agreement which although is not permanent residency, it is accommodation for a fixed length of time.

Guidelines for Bed and Breakfast accommodation:

- The council is under guidelines that they cannot let an individual stay in a B&B for more than six weeks.
- After this period has ended, temporary accommodation must be found.
- Pregnant individuals or people with dependent children are not to be offered B&B accommodation unless there is nothing else available.

How do I apply for my accommodation assistance?

- The relevant councils housing department will handle any applications sent.
- From this point you have the option of placing your details on the waiting list or applying as homeless.
- In the case you are applying as homeless you should speak to the individual who deals specifically with homelessness.
- When speaking to the council be sure to have any documents that can portray your situation such as an eviction notice from the court.
- The council will ask you questions to determine if you class as priority or not.

Is it possible to reject what the council has to offer?

- The accommodation they provide does not have to be council-owned.
- Usually the council will only offer you accommodation once and it should be suitable.
- You have a right to review the offer and the council should inform you of this via writing.
- This review is used to inspect the suitability of the accommodation to the needs of the individual.
- You can accept the offer and still have the right to a review.
- If you have accepted the property and asked for a review, which is then rejected, you can still maintain the accommodation.

Will the council look after my possessions?

- The council will have storage spaces in which to keep your possessions.
- In most cases the council will charge for storing any furniture or possessions.
- The council must provide storage assistance for an individual in priority need to prevent items being damaged.
- If you are not in priority need the council may still help you with storage.

Is there anything I can do if the council cannot assist me?

- In the instance that the council rejects your application they should send you a written letter explaining why they have rejected it.
- Sometimes their decision is incorrect and you can challenge that decision.

How to challenge the council's rejection:

- There is a time period of 21 days that you request a review.
- The application will then be reviewed and a new decision will take place.
- Upon another refusal you can seek the help of the county court.
- The County Court has the power to instruct the council to put you in temporary accommodation once you have appealed your application.

How does the waiting list work?

- The only way you will not be allowed on the waiting list is if you are a person from abroad, not living in the country permanently or you would be an unsuitable tenant.
- There is a method of prioritization on the waiting list when housing is involved.

What are the priority groups on the waiting list?

- Those individuals who are currently living in a situation that is overcrowded or unsanitary.
- Individuals who are residing in accommodation temporarily or insecurely.
- Individuals who are pregnant or have dependent children.
- Individuals who are ill or disabled and require fixed residence.

Can I complain if I think I should be viewed differently on the priority list?

- When the council makes their decision you have a 21-day period in which to ask them to review your situation.
- You should complain if you have not been permitted onto the waiting list or you have not been given priority.

Can a housing association help me?

- They should be able to offer you relatively nice accommodation with a reasonable rent price.
- In some cases you can only ask for their help if you are already on the waiting list for a council house.
- It may be worth making an application individually to each housing association.
- They usually have their own list of tick boxes when deciding who has priority.
- Each association lends itself to a particular group of people; this could be an individual that is disabled or ill.

The Use of a Private Landlord:

- When renting from a private landlord, be sure to seek advice on how much housing benefit you will receive in that area.
- It is likely the local advice agency will have records on the local landlords.
- If you hand over any funds with the landlord as a deposit or as rent, be sure to receive a receipt as future evidence as payment.
- Your rights in that accommodation will be different depending on the tenancy agreed upon whether it is short hold or not.
- Any short hold tenancies must last a minimum of six months.
- Once that tenancy has been completed, the landlord can get a court order to have you simply evicted.

Will I receive help regarding any deposits?

- Rental deposits are not uncommon to be given to people who are on extremely low income.
- This means that a deposit is not requested up front.
- The tenancy you will usually be given is within a private rented property with an approved landlord who has knowledge of the scheme.
- The landlord should make you aware of the scheme you are on and the safeguard of your deposit money until the end of the tenancy agreement if you are on a short hold tenancy plan.

Will the Council assist me with rent payments?

- A proportion of your rent can be covered through housing benefit but this depends on your income streams.
- You should ask the council for a pre-tenancy determination before you move into the property.
- You have the right to apply for Council Tax Benefit to see if you can be supported with your council tax payments.