

Homelessness Advice



This leaflet explains:

- Advice and assistance
- Making a homeless application
- Processing your application
- Housing options
- Further advice

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Language Line

We subscribe to Language line, a telephone interpretation service to help us in communicating with customers who do not speak English as a first language. If you require further assistance, or information in another language, please contact us.

نحن مشتركون مع لانغويج لاين (Language line)، وهي خدمة الترجمة الفورية عبر الهاتف لمساعدتنا على التحدث مع الزبائن الذين لا يتكلمون اللغة الانجليزية كلغة أولى. يرجى الاتصال بنا إذا اردت المزيد من المساعدة أو المعلومات بلغة أخرى.

Arabic

我们使用语言线 (Language line) 公司的电话翻译服务，帮助我们与英语不是母语的顾客沟通。如果你需要更多协助，或需要此信息的另一种语言版本，请与我们联系。

Mandarin

W celu komunikowania się z klientami, których jęz. ojczysty nie jest jęz. angielskim korzystamy z usług tłumaczenia przez telefon Language Line. Prosimy o kontaktowanie się z nami w celu uzyskania pomocy lub informacji w innym języku.

Polish

Temos uma assinatura com a Language Line, um serviço de interpretação por telefone que nos permite comunicar com os nossos clientes cuja língua materna não é o inglês. Se necessitar de informação ou de assistência noutra língua deve contactar-nos.

Portuguese

Наша организация является пользователем услуг компании Language line. Language line оказывает услуги телефонного перевода для общения с лицами, не владеющими английским языком. Если вам нужна дополнительная информация об этих услугах или если вы хотите получить информацию на другом языке, просим сообщить нам об этом.

Russian

Advice

Advice and assistance

Every local authority should deal with homeless people in the same way. The rules are set out in the Housing Act 1996 as amended by the Homelessness Act 2002, and under this legislation, we must make enquiries to ensure our legal duty towards you is carried out.

If you think you may become homeless you can obtain advice from South Holland District Council by making an appointment to see a Housing Advisor at the Council Offices. If you are housebound let us know and we will visit you at home.

The Housing Advisor will advise you on your legal rights, and may be able to help you look at ways in which you can remain in your home. If they can't help they will refer you to an appropriate agency.

You don't need to wait until you are homeless to get advice. If you think you are at risk of losing your home a Housing Advisor may be able to help you investigate your options.





Application **Making a homelessness application**

If you apply to South Holland District Council as homeless you will be interviewed by a Housing Advisor who will establish your housing situation and other circumstances

The Advisor will then check your application and make a decision on whether or not the Council has a duty to provide you with accommodation. Whilst the Council is investigating your application, you may be offered temporary accommodation if you are in priority need.

When attending the interview please bring any relevant documents with you for example:

- ◆ proof of child benefit
- ◆ proof of any other welfare benefits - income support, disability living allowance
- ◆ proof of pregnancy
- ◆ documentation relating to why you may become homeless - notice from landlord, tenancy agreement, court order etc.
- ◆ your birth certificate
- ◆ letter or bank statement proving how long you have been resident in South Holland
- ◆ any other information relevant to your application.

Following the interview the Council will check to establish whether you meet the following 5 criteria:

- 1 eligibility for assistance
- 2 homeless or threatened with homelessness within the next 28 days
- 3 in priority need
- 4 unintentionally homeless
- 5 have a local connection.

Eligibility **Eligibility for assistance**

Generally speaking applicants are entitled to help from the Council, unless they are subject to immigration control, or are not habitually resident in the UK.

Some people who come to or return to the United Kingdom can't be housed by the Council. This is due to the 'Habitual Residence Test' which is the same as that applied by the Department for Work & Pensions when looking at benefit matters.

The test looks at previous residence, work, prospects of work, family ties, history, and the long term intentions demonstrated by actions such as registering for services and joining institutions.

■ **Homeless or threatened with homelessness within the next 28 days**

Under the homelessness legislation a person is homeless if they and their family don't have anywhere to live in the UK or elsewhere in the world.

However if you have a home you may also be homeless or threatened with homelessness if:

- you have been evicted illegally
- you are being subjected to violence, or it is likely that you will be if you continue to live in your home
- there are exceptional circumstances and it is not reasonable for you to remain in your home
- you have been issued a notice to quit or possession order to leave your property, or you don't have permission to stay where you are, for example if you are a squatter
- you have been locked out of your home and not allowed back
- your home is a boat, mobile home or caravan and there is nowhere you are allowed to put it.

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In priority need

Applicants will be classed as being in priority need if:

- you have dependant children - those children aged 16 years or under; or between 16-18 years if in full time education
- you or a member of your family is pregnant
- you are aged 16-17 years old and not being looked after by Social Services. Please note that all applications from 16-17 year olds will be assessed in conjunction with Social Services
- you are homeless as a result of an emergency such as a fire or flood.

Applicants **may** be classed as being in priority need if you or a member of your household is vulnerable due to:

- old age
- physical or mental disability
- being aged 21 or over and you have previously been in care
- having been a member of the armed forces
- having served a custodial sentence
- having ceased to occupy accommodation because of violence or threats of violence or other special reasons.

The Council must undertake investigations to establish whether or not you are vulnerable due to one of the above reasons. If we decide you are not actually vulnerable, we will still have a duty to advise and assist you, but will not have a duty to provide you with accommodation.

Intentionally homeless

We are required to investigate why you are homeless or why you are likely to become homeless. We will contact your previous landlord, building society or other persons who may be able to provide information to help us to establish whether or not you have deliberately caused your homelessness, or failed to take appropriate action to prevent it.

You may be deemed to be intentionally homeless, if:

- you chose to leave a home which you could have stayed in or
- it was your fault that you lost your home.

If you are found to be intentionally homeless, the Council will **not** have a duty to provide you with long-term accommodation.



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Local Connection

You may have a local connection with South Holland if you:

- have normally resided in the area for six months in the past year or three years in the past five years, excluding residence in prison, hospital or other institution
- have permanent employment in the area excluding employment with the armed forces
- have close family, defined as parents, brothers and sisters and adult children, who have lived in the area continuously for the last five years
- have some other special reason, for example you have fled from violence in another area.

If it is established that you don't have a local connection to this area, we may refer you to a local authority where you do have a local connection.



Your Application

Processing your application

If you are threatened with homelessness, we will offer you a housing advice appointment within 2 weeks of your enquiry. If you are homeless when you contact us we will try to offer an appointment on the same day.

If you make a formal homeless application after the advice interview, we will assess your application as quickly as possible. We aim to do this within 6 weeks, providing we have all the information we need to make a decision.

After we have assessed your application and made a decision, we will give you a letter stating our decision and the reason for it.

If we decide that you fulfil the five criteria referred to earlier, we will accept a duty to provide you with suitable accommodation. If you refuse the accommodation without good reason we may end our duty towards you.

If we decide that you do not fulfil the five criteria and we do not have a duty to provide accommodation, we can still provide advice and help you find accommodation.

Right to review

If you are not happy with our decision or offer of accommodation, you have the right to request a review. If you wish to do this you must contact us within 21 days of being notified of the decision, stating your reasons.

The review will be carried out by an independent officer who will write to you with an outcome within 56 days. If you disagree with the review decision, you may be able to appeal to the county court within 21 days of being informed of the outcome of the review. You may wish to contact the Council, a solicitor, or the Citizens Advice Bureau if you would like to know more about how you can do this.



Options

Housing options

■ Temporary accommodation

We have a duty to provide you and your household with temporary accommodation in the following circumstances:

- If you have nowhere to stay whilst your homeless application is being investigated and you are in priority need
- or if we have accepted your application and are waiting to make you an offer of a permanent home

This temporary accommodation is usually a self contained flat or house, but could sometimes be accommodation with shared facilities.

You will have to pay towards the cost of temporary accommodation, although you may be entitled to help with the cost if you are receiving benefits or are on a low income.

Temporary accommodation is not usually furnished. If you can't fit all your belongings into the accommodation, you may need to put them into storage. Normally you will be expected to organise this for yourself but in special circumstances we may be able to help you. You will, however, have to pay any storage charges.

■ Accommodation offered if you are accepted as homeless

If your homeless application is accepted, you will be placed onto South Holland District Council's Housing Register, and awarded sufficient priority to enable us to make you an offer of permanent accommodation as soon as possible.

We will offer you 'suitable' accommodation, dependant on your family size and accommodation needs.

We will take into consideration the areas you would prefer to live in, but due to the shortage of accommodation we can't offer you a choice of areas. Special circumstances, such as risk of violence or the need for support, will however be taken into account.

It may take some time for you to receive an offer of permanent accommodation, which could be a South Holland District Council property, or one belonging to a housing association.

If we don't have a duty to offer you permanent accommodation we will offer you advice and assistance. In these circumstances you should consider the following options:

- private rented accommodation - see leaflet 1
- carrying out a mutual exchange - if you already have a housing association or Council tenancy
- applying to go onto South Holland District Council's Housing Register
- apply to join the waiting list of other housing associations in the area.

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Estate Agents

Here is a list of estate agents who may have homes to rent;

AP Sales

38 New Road, Spalding, telephone 01775 725300

R Longstaff and Co

5 New Road, Spalding, telephone 01775 766766

2 West End, Holbeach, telephone 01406 422760

William H Brown,

18 Sheep Market, Spalding, telephone 01775 711711

34 Market Place, Long Sutton, telephone 01406 363224

Collings

13 High Street, Long Sutton, telephone 01406 362098

Munton and Russell

16 Sheep Market, Spalding, telephone 01775 722475

14 Fleet Street, Holbeach, telephone 01406 426274

Hix and Son

28 Church Street, Holbeach, telephone 01406 422777

Principal Estate Agents

10 High Street, Holbeach, telephone 01406 425678

How to get in touch with us:

Write to us at:

South Holland District Council
Housing Section
PO Box 8, Priory Road
Spalding, Lincs PE11 2XQ

Telephone: 01775 761161
ask to speak to Housing

E-mail: info@sholland.gov.uk

Website: www.sholland.gov.uk

Call in and see us at the Council
Offices in Priory Road, Spalding -
any weekday from 8.30am to 5.15pm,
except on Fridays when we
close at 4.45pm.

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