

# Applying for a home in South Northamptonshire

## guide to homelessness

Housing Division



# guide to homelessness

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# guide to homelessness

## Introduction

We have written this leaflet for anyone in South Northamptonshire who is homeless, or at risk of becoming homeless.

This leaflet will tell you about the law covering homeless applications, and how this affects the way we must deal with them. It also gives detailed information on a wide range of services aimed at helping homeless households.

## Homeless - where to go

If you are homeless, or think that you are likely to become homeless, please contact us as soon as possible and arrange to see a member of staff.

Although you can often call in and see a member of staff it is a good idea to phone and make an appointment first. Before coming to your interview ask us what documents we may need to see. These may include:

- your identification
- details of addresses you have lived at
- any notice to quit or notice seeking possession you have received
- court orders or summonses
- your tenancy agreement
- your mortgage details

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- your children's birth certificates or your Child Benefit book
- if you are pregnant, any notes or certificates you have
- any details showing your income and outgoings.

We will give you help and advice to find somewhere suitable to live. In some situations we may arrange temporary accommodation for you but this will depend on your circumstances.

## The law on homelessness

Decisions on housing people who are homeless are covered by Part VII of the Housing Act 1996 and the Homelessness Act 2002.

The law says we have a duty to find a home for households who:

- are eligible for assistance
- are homeless
- are in priority need
- are not intentionally homeless
- have a local connection with South Northamptonshire.

## Are you eligible for assistance?

If you think you are homeless or threatened with homelessness you are likely to be eligible for assistance.

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However, if you are an asylum seeker or a dependant of an asylum-seeker from abroad and subject to immigration control under the Asylum and Immigration Act 1996 you will not be 'eligible for assistance'. If you think the law on immigration covers you please contact us for more information.

## What does being homeless mean?

You are homeless if you:

- have no accommodation you are legally entitled to live in anywhere in the UK or the rest of the world
- have accommodation but you cannot get into it
- face violence or threats of violence at home
- find it is not reasonable for you to live in your present home
- live in accommodation such as a houseboat or caravan and there is nowhere for you to place it and live in it.

If anyone normally lives with you, we would only treat you as having suitable accommodation if it was available to them too. This applies whether they are a family member or not.

You are 'threatened with homelessness' if you are likely to be homeless within 28 days. If we are satisfied you are likely to be homeless within 28 days, we must start making enquiries so we can decide what help we can give you.

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It is important that you get expert advice as soon as you know you are threatened with homelessness. Something could be done to prevent you becoming homeless, and you will also have shown that you have done what you can to avoid being homeless.

## Are you in priority need?

You will have a priority need for housing if:

- you have dependent children
- either you or your partner are pregnant
- you are 16 or 17 years old
- you are between 18 and 20 and used to be in care when you were between 16 and 18
- you are over 21 and vulnerable because you have been in care
- you are vulnerable because you have been in the Army, Navy or Royal Air Force
- you are vulnerable because you have been in prison or custody
- you are vulnerable due to old age, or a serious mental or physical health problem
- you have moved out of your home because of violence
- you have lost your home due to an emergency such as fire, flood or some other disaster.

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## Are you intentionally homeless?

This part of the law looks at people who may have 'caused' their own homelessness. You may be seen to be homeless intentionally or threatened with homelessness intentionally, if you leave a home that you could reasonably have stayed in and:

- you are found to have caused the loss of your home or you didn't do something that would have stopped it being taken from you
- or
- you have deliberately arranged to become homeless with someone's help (for example your former landlord). You could go to court for this under the Criminal Justice Act 1982, lose any home we find you and face a heavy fine.

If you are found to be intentionally homeless, it is unlikely that we will be able to re-house you.

## Do you have a local connection?

You must have a local connection within South Northamptonshire.

You can have a connection with this area if you:

- live here
  - work here
- or
- have relatives who have lived here for over five years.

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## What we must do when you first contact us

If we believe you are homeless or threatened with homelessness there are three things we must do. We must:

- make enquiries
- tell you our decision
- if you are an eligible, homeless person in priority need, make sure you have accommodation until we have finished our enquiries.

## Our decision on your case

Our decision will be based on your circumstances. If we decide that you do not meet the conditions set by the law, it will affect the type of help we can offer you. We aim to make a decision within 30 working days of your application, as long as we have all the information we need.

Once our enquiries are finished we will:

- give you our decision in writing
- give you the reasons for our decision
- tell you about your right to ask for a review within 21 days.

## The duties we may have after our decision

Following our enquiries and depending on our decision we have either 'limited duties' or 'full duties' towards you.

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## Limited duties

*If we decide you are in priority need, but intentionally homeless*

We must:

- find you temporary accommodation for a reasonable time and
- give you appropriate advice and help to find a home.

*If we decide you are in priority need but threatened with homelessness intentionally*

We must:

- give you appropriate advice and help to find a home and
- if you become homeless, find you temporary accommodation for a reasonable time.

*If we decide you are not in priority need*

We must give you appropriate advice and help to find a home. You will have the right to housing advice to help you to find your own home in the area. You can also contact other agencies that offer housing advice such as Shelter, the Citizens Advice Bureau or a solicitor for help with this.

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*If we decide you are in priority need and unintentionally threatened with homelessness*

We must:

- do what we reasonably can to make sure you can stay in your present home

or

- if you become homeless, make sure we have temporary accommodation for you.

## Full duties

If we are satisfied that you are:

- eligible for assistance
- in priority need

and

- unintentionally homeless

we must make sure there is a home available for you to move into.

## What happens if I am accepted as homeless?

If you meet the conditions, we will help find you a home. In most cases we will find you temporary accommodation until we find you somewhere permanent to live. Usually, this will be done by putting you on our housing register or 'waiting list', and putting you higher up the list because you are homeless. We can also put your name forward for a housing association property.

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## What if I do not agree with your decision?

If you are unhappy with the decision we make about your case, you have the right to ask us to review it.

You can ask for a review within 21 days of the date of our decision. You have to write to the Head of Housing saying why you do not agree with the decision.

You then have 28 days, from the date you asked us for the review, to send us any new information about your application. If we do not receive any new information, we will base the review on your original application.

You will get a letter with our decision on your review within 56 days of the date you asked us for it.

If you are still unhappy with the decision we make after the review you can appeal to:

- a county court over a point of law
- or
- the Local Government Ombudsman if you feel we have treated you unfairly or have not dealt with your case properly.

## Temporary accommodation

Depending on your circumstances we may find you temporary accommodation in:

- our hostel
- other temporary accommodation we can use

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- a refuge
- a bed and breakfast hotel.

You do not have any security of tenure in temporary accommodation.

## Why would I be given temporary accommodation?

The law says when we must provide temporary accommodation.

We must find you temporary accommodation for a reasonable time if:

- you are in priority need, but intentionally homeless
- you are in priority need, threatened with homelessness intentionally and you become homeless.

We must make sure we have temporary accommodation for you to move into if:

- you are in priority need, unintentionally threatened with homelessness, and you become homeless.

We must make sure we have a home ready for you to move into if we are satisfied that you are:

- eligible for assistance
- in priority need

and

- unintentionally homeless.

If you have no priority need we do not have a duty to provide temporary accommodation.

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## Will I need my own furniture?

Our temporary accommodation has the basics. All hostel properties have essential items such as a cooker and a fridge. These items are the property of the council. You will need to provide all other furniture.

You will be responsible for getting a television licence if you intend to take a television into your temporary home.

## What about pets?

You are not allowed to have pets if you live in our hostel. Otherwise you may be able to take your pets with you. However, you must check with us first.

If you are not allowed to take your pets with you, you are responsible for making other arrangements for them.

## Support while you are in temporary accommodation

While you are in temporary accommodation you will be offered support from Bromford Housing support workers. The kind of support you get depends on your needs. Your support worker will sit down with you and agree what to do.

Your support worker will keep you up to date on what is happening over your housing. They are also the first person you should talk to if you are having any problems.

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## Rent and other charges

You are responsible for paying all the charges in your temporary accommodation. Any charges you pay to the council must be made every week in advance. If you get behind with your payments, we will start legal action to get possession of the property.

The rent for our hostel includes a charge for heating, lighting and water. You pay this whether you qualify for housing benefit or not. However, if you are in other temporary accommodation you will have to pay your own bills for gas, water, electricity and so on.

## Permanent accommodation

You are allowed to stay in temporary accommodation until you are able to move somewhere more settled. You may be able to find somewhere yourself. If you cannot, we may be able to offer you a permanent tenancy with either the council or a housing association.

We have to follow special rules to offer you settled accommodation.

If you accept an offer, the council will have no more duties towards you.

If we make an offer of a permanent tenancy and you do not want to accept it, get advice.

If you refuse offers of permanent accommodation that the council believes is suitable for you, you will probably have to leave your temporary accommodation and we will not have to give you any more help.

## Useful Web Sites

Northamptonshire County Council Social Services  
([www.northamptonshire.gov.uk](http://www.northamptonshire.gov.uk))

Tel: 01604 236236

Shelter ([www.shelter.org.uk](http://www.shelter.org.uk))

Tel: 0808 800 4444

Connexions ([www.connexions.gov.uk](http://www.connexions.gov.uk))

Tel: 080 800 13219

Crisis ([www.crisis.org.uk](http://www.crisis.org.uk))

Tel: 0870 011 3335

CAB ([www.nacab.org.uk](http://www.nacab.org.uk))

Tel: Brackley Office 0870 2200608

Tel: Northampton 0870 1202433

Womens Aid ([www.womensaid.org.uk](http://www.womensaid.org.uk))

Tel: 0808 2000 247

Relate ([www.relate.org.uk](http://www.relate.org.uk))

Tel: 01604 634400

NSPCC ([www.nspcc.org.uk](http://www.nspcc.org.uk))

Tel: 0808 80050000

Mind ([www.mind.org.uk](http://www.mind.org.uk))

Tel: 0845 766 0163

Race Equality Council ([www.northamptonshirerec.org.uk](http://www.northamptonshirerec.org.uk))

Tel: 01604 603868

Samaritans ([www.samaritans.org.uk](http://www.samaritans.org.uk))

Tel: 08457 909090

Welfare Rights ([www.welfare-rights.net](http://www.welfare-rights.net))

Tel: 01327 358264

Talk to Frank ([www.talktofrank.com](http://www.talktofrank.com))

Tel: 0800 776600

National Debtline ([www.nationaldebtline.co.uk](http://www.nationaldebtline.co.uk))

Tel: 0808 8084000

**Translations to other languages and audio cassette,  
large print or braille versions are available on request.**

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