# Applying for Accommodation as a Homeless Person

## Information for Applicants

## Housing Needs Advice

Gedling Borough Council provides a free service for people seeking advice and support with their housing and will be able to offer assistance if you are faced with homelessness.

The Housing Needs Section offers advice on a range of issues including:

* Relationship breakdown and the implications for housing
* Being evicted by parents, family or friends
* Landlord and tenant rights
* Being served notice to quit
* Illegal evictions/disrepair
* Advice for people in rent or mortgage arrears
* Alternative temporary accommodation
* Alternative Housing Needs such as the Private Rented Sector, home ownership options or supported housing
* Transferring from a housing association home
* Mutual exchanges

The Housing Needs Section can also provide you with further contact details should you require more specialist advice or advocacy, and can negotiate on your behalf with landlords, mortgage companies or excluders.

You do not need to be the tenant of a Registered Provider (housing association) to receive housing advice from us.

You can seek advice in person, by telephone, in writing, or by using the Council’s Enhanced Housing Needs Online which is an accessible self-help tool. Housing Needs Online can be accessed from Gedling Borough Council’s website www.gedling.gov.uk.

## Homelessness

If you are homeless or threatened with homelessness you should contact the Housing Needs team as a matter of urgency at the Civic Offices.

If you are facing homelessness we can assist you to make a homelessness application. This leaflet explains what the process involves, why we might ask you questions about aspects of your personal circumstances, and what help you can expect to receive. All information you provide to us will be treated in the strictest confidence.

Part of our work to support you, means that we will ask you for details about your situation. Please bring any important papers with you, such as a court eviction order or notice from your landlord. We will need to see some form of identification, for example, birth certificate, passport, or driving license, for each member of your household.

Applying as a homeless person is not the same as applying to join the Housing Register. By applying to join the Housing Register, people are asking to be considered for housing association homes. People who qualify to join the waiting list can participate in Choice Based Lettings. For information about the Gedling Housing Register please contact Housing Services at the Civic Offices on telephone number 0115 9013803.

Homelessness applications are a separate process available to people who are homeless or threatened with homelessness within 28 days. They are generally about seeking help with emergency accommodation.

When considering a homelessness application, our Housing Needs Officers will take into account a number of issues, which include eligibility, the legal definition of “homelessness”, whether a person is in “priority need”, whether a person has made themselves “intentionally homeless” and whether they have a “local connection”. The following answers some frequently asked questions about homelessness applications and covers these terms including what they might mean to you.

## Am I eligible for assistance?

Most people who approach the Council for help are eligible for assistance. However, you may not be eligible for assistance if:

* You are an asylum seeker (most asylum seekers get temporary housing arranged by the Home Office)
* You are from abroad and have limited rights to remain in the UK or you have stayed longer than the time you were allowed
* You are from abroad and you are not entitled to claim ‘public funds’, for example income support
* You are a UK citizen but you have not lived in the UK for a long time
* You came to the UK illegally (we can make enquiries with relevant immigration authorities if we think you came to the UK illegally)
* You are a European national, from outside the European Union, who has no right of residence in the UK

If you are not eligible for assistance we can only provide you with housing advice to assist you to secure accommodation.

## Am I legally homeless?

The legal definition of ‘homelessness’ covers more than being roofless and living on the streets. You will be considered homeless if:

* You have nowhere to live in the UK or anywhere else in the world
* You cannot stay in your home because of violence or threats of violence
* You have nowhere you can live together with your family or anyone else who lives or could reasonably be expected to live with you, for example your children, partner or a carer
* You do not have permission to stay where you are, for example 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 legally entitled to put it
* You have somewhere to live but it is not reasonable for you to stay there – this may be because of violence, abuse, harassment or threats; or because of serious overcrowding or very bad conditions; or because you cannot afford housing costs

Please contact us as soon as you become aware that you may have to leave your accommodation. The more time we have to assist you the more likely we will be able to prevent your homelessness. Preventing homelessness is our first priority and we will work with you to ensure that you do not become homeless wherever practicably possible.

## Am I in priority need?

You are in priority need if:

* You are responsible for dependent children – usually those under 16, or under 20 if they are in full-time education or approved training and are unable to support themselves
* You, or someone you live with, is pregnant
* You are homeless as a result of flood, fire or other disaster
* You are 16 or 17 years old, unless Children Services has a responsibility for you
* You are aged between 18 and 21 and a care leaver
* You are ‘vulnerable’.

We will consider whether or not you are vulnerable with regard to relevant legislation, guidance and case law. The decision regarding who is a vulnerable person rests with the Council. We may decide that you are vulnerable because:

* You, or someone you live with, is an older person
* You, or someone you live with, has a physical or mental illness or disability
* You have been in care and are over 21
* You have been in the armed forces or prison in the past
* You can no longer stay in your home because someone has been violent or abusive towards you, or has threatened you with violence. This also applies to anyone facing harassment due to gender, ethnic origin, sexuality or religion
* You or someone you live with, are vulnerable for another reason which is not listed above

When determining whether a person is “vulnerable”, the Housing Needs Section may make enquiries of other relevant professionals, including health professionals and support workers.

## Am I intentionally homeless?

We may decide that you have become homeless intentionally if we believe that:

* You chose to leave a home which you could have stayed in, or
* It was your fault you lost your home, or
* You arranged to be made homeless to take advantage of the system.

When assessing whether or not you may be “intentionally homeless” we will look at the reasons why you left your previous accommodation. If your most recent accommodation is temporary, we may review your accommodation history with you to establish what was your last settled home was.

If you are homeless through no fault of your own, and due to circumstances beyond your control, then it is unlikely that you will be treated as “intentionally homeless”.

If you are considered to be “intentionally homeless” we are not required to find, offer or arrange permanent housing for you. We will, however, provide you with advice and assistance in your efforts to find somewhere for yourself.

## What is a Local Connection?

If you are homeless, eligible for assistance, have a priority need and you are not intentionally homeless, we will consider whether you have a local connection with our area.

You will usually have a local connection if you or anyone who lives with you:

* Has normally resided within Gedling Borough for the last twelve months or three years in the past five years, or
* Has permanent employment within Gedling Borough, or
* Has immediate family who have lived within Gedling Borough for the last five years, who you support or you receive support from or
* Residence with or employment by the armed forces

The full list available in Gedling Borough Council’s Allocation Policy.

The following does not count as a local connection:

* Residence in prison, hospital or other institution or therapeutic setting
* Casual employment
* Temporary placement within Gedling Borough by another local authority
* Voluntary employment of a casual nature

If you do not have a local connection with Gedling, we may refer you to another Council where you do have a local connection. If you have a local connection with more than one Council, you can state which one you would like to be referred to. If you do not have a local connection anywhere else, we may assist you.

## What kind of temporary accommodation will you offer me?

While we are making enquiries into your application, you may be offered temporary accommodation. This could be in a hostel, refuge, self-contained flat, or where no other accommodation is available, bed and breakfast accommodation.

We endeavour to provide accommodation within the district but this is not always possible, due to the shortage of available accommodation. You will be expected to pay the cost of temporary accommodation although you may be eligible for help with this if you are in receipt of welfare benefits or on a low income.

We will seek to provide temporary accommodation that is suitable for you and all the members of your household. If you have any special needs or reasons why particular types of accommodation would not be suitable, please be sure to give us information and any supporting evidence.

If you think the temporary accommodation we are offering you is unsuitable, you have the right to ask us to review our decision. This review opportunity is available even if you accept the property you are offered. If you request a review, we will reconsider the suitability of the property. The review will be conducted by a senior officer who was not involved in the decision to offer you the property. If the Council considers the accommodation offered was suitable, we may not owe you an ongoing duty to provide you with alternative temporary accommodation. Your Housing Needs Officer will explain this in more detail and ensure you are able to make informed choices.

## If I am not happy with the Council’s decision on my application, can I appeal?

If you are not happy with our decision you have the right to request a review.

If you wish to request a review, you must do so within 21 days of being notified of the decision. You may make a request later than 21 days, however, before accepting the request, the Council will consider whether there were exceptional circumstances or other special reason(s) that meant you could not have been expected to do so sooner.

Please note this leaflet seeks to provide a brief overview of the homelessness application process and the type of assistance you can expect to receive from the Council under the provisions of homelessness legislation. This leaflet does not set out all relevant considerations and should not be considered guidance. If you are in any doubt about your legal rights, please contact us. You can also seek assistance from a solicitor or another suitable advocate who can help you, such as the local Citizen’s Advice Bureau.

Remember – whether you are an owner, a tenant, a lodger, or in any other arrangement that has put a roof over your head – please seek advice immediately if you think you may lose your home.

We may or may not be able to house you, but will give you the most appropriate and comprehensive advice we can. This may help you to keep your home and prevent your homelessness.

## What can the Housing Needs Section do to prevent homelessness?

We are committed to preventing homelessness wherever possible and have produced a Preventing Homelessness Strategy that sets out the Council’s commitment to:

1. Building on existing services
2. Supporting people to remain in their homes where it is appropriate for them to do so
3. Supporting people to access suitable alternative accommodation when it is required
4. Developing holistic services that prevent homelessness and provide positive opportunities for vulnerable residents
5. Building and maintaining strong working relationships across partnerships, and
6. Supporting a successful welfare reform transition for the Gedling community.

The South Nottinghamshire Homelessness Strategy can be found on our website at www.gedling.gov.uk.

For further information regarding the ways in which we may be able to help you to avoid homelessness, please contact the Housing Needs team.

## How can I contact the Housing Needs Section?

The Housing Needs Section operates a duty system so that people can attend the offices and receive housing advice and support. There is also an out-of-hours service for people who need immediate assistance if they are homeless.

Our Duty Housing Needs Officer can be contacted by either:

* Telephoning on 0115 9013681 for advice or to arrange an interview
* Telephoning out of office hours on 0800 096 0306
* Emailing housingneeds@gedling.gov.uk;
* In writing – Housing Needs, Civic Centre, Arnot Hill Park, Arnold, NG5 6LU