Homelessness Reduction Act Flowchart – December 2018

Eligible and already homeless or threatened with homelessness within the next 56 days?

Yes

No
Advice only

Threatened with homelessness?

Already homeless?

Prevention Duty

Owed for a minimum of 56 days unless the duty ends. The duty consists of taking reasonable steps to prevent homelessness.

Housing History and Needs Assessment

Personal Housing Plan (PHP)
An agreement between the Council and the applicant detailing what steps each party will take to prevent the homelessness.

Duty ends if:

- Applicant becomes homeless
- 56 days have passed since the duty started and the applicant is still threatened with homelessness
- If there is accommodation for 6 months
- Applicant accepts or refuses a suitable offer of accommodation which can lasts at least 6 months
- Applicant refuses to co-operate with the PHP
- Applicant withdraws the application or loses contact
- A mistake of fact led to acceptance of the duty

If the applicant becomes homeless….

Relief Duty

Owed for 56 days unless the duty ends. The duty consists of taking reasonable steps to relieve homelessness.

Housing History and Needs Assessment

Personal Housing Plan (PHP)
An agreement between the Council and the applicant detailing what steps each party will take to prevent the homelessness.

Duty ends if:

- 56 days have passed since the duty started and the applicant remains homeless
- The applicant accepts or refuses a suitable offer of accommodation which can last for 6 months
- Applicant accepts or refuse a final offer of accommodation
- If the applicant voluntarily leaves the temporary accommodation provided
- Applicant refuses to co-operate with the PHP
- Applicant withdraws the application or loses contact
- A mistake of fact led to acceptance of the duty

If duty ends because 56 days have passed and the applicant is still homeless or if the applicant refuses an offer of suitable accommodation (not final offer)….

If duty ends because the applicant refuses to co-operate with the steps in the PHP

Temporary Accommodation

Does the applicant have a priority need? *
If so, the Council can provide temporary accommodation as part of the duty.

Local Connection ** Relief and Main Duty

If the applicant does not have a local connection to the council but has one to another LA, the duty will be accepted and possibly referred. It will then be up to the notified LA to fulfil the terms of the duty.

Main Duty

The Council has to accept a main accommodation duty if the applicant:

- is eligible
- is homeless
- is in priority need*
- is not intentionally homeless
- has a local connection

The duty ends if social tenancy or 12 months private rental is offered or if the applicant leaves/ is evicted from temporary accommodation. It can also end if the applicant becomes ineligible or loses contact.

S193C (Coke Light) Duty

The Council has to accept an accommodation duty if the applicant:

- is eligible
- is homeless
- is in priority need*
- is not intentionally homeless

The duty ends if social tenancy or 6 months private rental is offered or if the applicant leaves/ is evicted from temporary accommodation. It can also end if the applicant becomes ineligible or loses contact.

** Local Connection

- Resident 6 of the last 12 months or 3 of the last 5 years
- Employed in the district
- Family members resident for at least 5 years (parents, siblings and adult children)
- Under 21 and in care in the district for 2 years
- Special reason at the LA's discretion

* Priority Need Groups

- An applicant with a pregnant person in his/her household
- An applicant who has dependant children living with them or expected to live with them
- An applicant or someone in the household who is vulnerable as a result of old age, physical / mental ill-health or any special reason.
- An applicant who is homeless as a result of fire or flood.