**Homelessness Reduction Act**

**Thursday 126th October 2017 - Claire Keeling**

**Case Studies**

The following provides a working example of the service an applicant who approached the Council as homeless currently would receive and the service they will receive once the new legislation is enacted in April 2018. (Please note that there could be slight changes, based on the details of the legislation once published)

Mr X is a 30 year old white British male, he has been sleeping rough for 3 months, has no medical issues or support needs and no children. He has no accommodation available to him and has approached the authority for assistance. He is not currently known to the authority, he has a local connection to Tamworth as he previously lived in a private rent with his girlfriend but he is unable to return as their relationship has broken down and he is not named on the tenancy. He was working but is now in receipt of benefit. SWEP is not active as it is September.

Under the current legislation

The authority would assess if they had reason to believe whether the applicant was eligible, homeless and whether he had a priority need. In this instance we would have reason to believe he was eligible as he was working and is in receipt of benefits, we would have reason to believe he is homeless as he is sleeping rough. However the authority would have no reason to believe that this applicant had any priority need and therefore our duties would be limited to providing him with advice and assistance and the offer of hostel accommodation. The advice and assistance would be in the form of a written letter and would include information such as looking for a shared room in shared accommodation and how to do this. The authority would have no statutory duty to this applicant. There are no rights to review.

Under the new legislation

As this applicant is eligible and homeless, but has no accommodation under the new legislation we would have a duty to relive homelessness (s189B) and would have 56 days to do this. As he has no priority need, there would be no requirement for Temporary Accommodation, but the authority will be required to undertake a full assessment of his housing needs and then work with him to produce a personalised housing plan. This plan would have to be agreed and if the applicant did not agree then he would have the right to request a review. A section 184 decision letter should be issued advising the customer that the authority has accepted that he is homeless, eligible and that there is a duty to relieve the homelessness. The personalised housing plan would contain actions for both the applicant and the officer and there is a requirement under the legislation to keep them under review and up to date. The authority can only discharge its duty to relieve in the following instances (and all of these are subject to review)

* An offer of suitable accommodation (either private or social housing)
* Refusal of an offer of accommodation
* The 56 days to relieve finish
* The applicant withdraws their application
* The applicant becomes homeless intentionally from accommodation provided
* Ceases to be eligible
* Applicant is notified that he has deliberately and unreasonable refused to co-operate (however notices must be served on the applicant before a final duty can be discharged)

If the authority fails to relieve the homelessness then after the 56 days expires, at this time a s184 non priority decision letter would be issued to the applicant and the authorities duty would be discharged