

Homelessness

Homelessness

There are lots of reasons why you might find yourself with nowhere to live:

- **your home went with your job and you've had to move out**
- **you've split up with your partner and have had to move out**
- **you have left rented accommodation and have nowhere to go.**

If you're homeless, or threatened with homelessness within 28 days, you may be able to get help from your local housing authority. It depends on your personal situation and why you have nowhere to live.

Can the housing authority help you? – The five legal tests

If you apply to the housing authority as homeless, it will apply five legal tests to decide whether or not you are homeless, and if it has a duty to find you somewhere to live.

Are you eligible for homelessness assistance?

After considering your immigration status and other circumstances, the housing authority will decide if you satisfy this test and are eligible for homelessness assistance.

Are you homeless or threatened with homelessness?

You don't have to be roofless or living on the street to be homeless. For example, you could have somewhere to live but it might not be reasonable for you to go on living there.

You can be legally homeless in any of the following ways.

- you don't have somewhere for you and your family to live in together
- you have no legal right to stay where you are
- you have nowhere to live either in the UK or abroad
- it's not reasonable for you to continue living where you are because of violence
- it's not reasonable for you to continue living where you are because of some other reason, for example, because you can't afford it
- you have accommodation, but you can't get into it, for example, because the locks have been changed.

What does threatened with homelessness mean?

You are threatened with homelessness if it's likely that you'll become homeless within 28 days. This could be because your landlord has a court order to evict you and you have to leave within 28 days.

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If the housing authority thinks that you may be threatened with homelessness, it has a duty to accept an application from you and make further inquiries. It shouldn't wait until homelessness is about to happen before giving you advice and assistance.

After looking into your circumstances, the housing authority will decide if you meet the legal definition homelessness.

Do you have a priority need?

If you can answer yes to any of the following questions, you may be in priority need.

- have you got any children who normally live with you?
- are you, or someone who lives with you, pregnant?
- are you elderly?
- are you sick or disabled?
- are you 16 or 17 years old?
- are you homeless because of an emergency, like a fire or a flood?
- are you homeless because of violence or the threat of violence?

If the Local Authority decides that you do have a priority need, it may have to find accommodation for you, even if it's only on a temporary basis. You'll need to have some links to the local area. If you can't answer yes to any of these questions, then the Local Authority is unlikely to help.

Are you intentionally homeless?

If the Local Authority thinks that you're homeless because of something that you deliberately did or

failed to do, then you may only be offered very short-term accommodation, perhaps in a hostel or B&B. But it should be enough to stop you sleeping on the streets.

Do you have a local connection?

You will have a local connection with a housing authority's district if you fall into any of the following categories. The links lead to more detailed information on each category:

- you normally live in the district or lived there previously, by your own choice, or
- you work in the district, or
- you have family in the district, or
- you have a connection through other special circumstances.

If the housing authority has no legal duty to accommodate you under homelessness law, there may be other housing options that you can look into.

Unless you can stay with friends or family, or you have enough cash to rent somewhere, your best hope is a hostel. You will find these in most big towns and cities, but in country areas it is more difficult.

If you are able to get somewhere to rent in the private sector you may be able to get help with your rent. Contact your Local Authority for information on Housing Benefit.

If you are homeless and have nowhere to go, seek advice. These organisations may be able to help you.

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information about Council Tax, what to do if you're homeless and where to get help if you have a housing dispute.

Useful links

If you are experiencing any of the issues covered in this factsheet, in the first instance call our free helpline on **0808 801 0550**.

Our Advisors will listen without judging and will work with you as best they can to achieve a positive outcome. If you prefer you can email: helpline@ltcharity.org.uk Visit our website: www.licensedtradecharity.org.uk It's full of useful information about the kind of issues we know people who work in the licensed trade face.

Shelter

Shelter works to alleviate the distress caused by homelessness and bad housing by giving advice, information and advocacy to people in housing need.

Helpline: 0808 800 444 8am-8pm Monday-Friday; 8am-5pm Saturday, Sunday

www.shelter.org.uk



Citizens Advice

You will find one in most towns. They give free, practical, up-to-date advice. They are non-judgmental and work confidentially.

You can find their address and phone number in your local phone book or at

www.adviceguide.org.uk



Government Housing

www.gov.uk/browse/housing



Has information on legal obligations and rights when renting, buying or owning a home, plus

The First Tier Tribunal for Scotland (Housing and Property Chamber)



The Chamber was formed to deal with determinations of rent or repair issues in private-sector housing as well as assisting in exercising a landlord's right of entry. The Chamber also provides relatively informal and flexible proceedings to help resolve issues that arise between home owners and property factors

www.housingandpropertychamber.scot

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