

# Homelessness Reduction Act 2017



Basingstoke  
and Deane

**This leaflet is designed to help you understand how Basingstoke and Deane Borough Council can help you if you are facing homelessness or are homeless. This leaflet will explain to you the change in law that took place in April 2018.**



**The aim of the council is to stop you from becoming homeless and if you are homeless to assist you to find suitable accommodation. The council will do this under two duties, the prevention and relief duty.**

## **If you are likely to become homeless**

If you are likely to become homeless, the council has a prevention duty which arises if the council is satisfied that you are eligible and at risk of losing your accommodation within 56 days.

In these circumstances, housing advice should be sought at the earliest opportunity to allow you time to work with the council to prevent your homelessness.

The prevention duty comes to an end in several ways, but mainly if you have suitable accommodation open to you for at least six months. If you are unable to prevent your homelessness, you will be owed the relief duty.

## **If you are homeless**

If you are homeless, the council has a relief duty which arises if the council is satisfied that you are eligible for assistance and homeless. Again, we would advise that housing advice should be sought at the earliest opportunity to allow you time to work with the council to help resolve your homelessness.

The relief duty lasts for up to 56 days and it is not always the council's duty to provide you with accommodation. However, the council will give you advice to help you to secure accommodation.

This duty comes to an end in a number of ways, but mainly if you have suitable accommodation open to you for at least six months.

## **What happens when you approach the council?**

The council will carry out an assessment with you if you are eligible for assistance, homeless or at risk of becoming homeless. Your Homeless Prevention Officer will create a personalised housing plan with you and discuss your support needs to understand your specific circumstances.

It is important to establish why you are at risk of homelessness or homeless and how you can resolve your housing situation. Your personalised housing plan will record the agreed steps you and the council will take to assist you to prevent your homelessness or to find suitable accommodation.

If you do not agree with the actions within your personalised housing plan, the council will put in writing why the actions could not be agreed and what steps the council thinks would be reasonable for you to take.

If the council considers that you are deliberately and unreasonably refusing to co-operate with the actions in your personalised housing plan, you will be issued a notice which ends the council's duties.

# Enquiries the council will make

The Homelessness Reduction Act 2017 states how the council must deal with homelessness and for whom the council must find temporary accommodation. Unfortunately, this is not for everyone who is homeless.

If you meet the criteria, the council will ensure you have temporary accommodation. This is most likely to be private sector accommodation. The council may make enquiries into the following areas:

## Eligible for housing assistance

If you are subject to immigration control or are an asylum seeker under the Asylum and Immigration Act 1996, you may be excluded from assistance.

## Homeless or threatened with homelessness

You would be seen as homeless if you do not have the right to live in a property or if it would be unsafe for you to remain in your current home. You are threatened with homelessness if you are likely to lose your home in the next 56 days.

## Priority need

The law is very specific. The council must investigate and decide whether applicants are in priority need. Being without a home is not sufficient to grant priority need status. You are only in priority need if one of the following applies:

- You have children dependent upon you for their accommodation
- You are pregnant
- You are either a young person aged 16 or 17, or a young person aged 18 to 20 who is a former 'relevant child' under the Children's Act 2000
- You are homeless due to an emergency such as fire or flood.

You may also be in priority need if you are recognised by the council as being vulnerable due to:

- Mental or physical illness
- Old age
- Having served a custodial sentence or been remanded in custody
- Fleeing violence
- Having been a member of Her Majesty's regular naval, military or air forces
- Being aged 21 and having been looked after, accommodated or fostered by the State.

The council must follow the law when dealing with your case and will establish the duty the council owes to you.

### **Intentionally homeless**

You would be seen as intentionally homeless if you are, as a result of something you have done or failed to do, responsible for your own homelessness. If you are found to be intentionally homeless the council can only provide temporary accommodation for a reasonable period of time to allow you to find your own accommodation.

### **A local connection**

The council will also investigate whether you have a local connection to the borough. In order to have a local connection you must:

- Normally reside within the Basingstoke and Deane borough boundaries and have done so for six of the last 12 months or three of the last five years or,
- Have full-time permanent employment within the borough boundaries or,

- Have close family members resident in the borough or,
- If special circumstances exist

If you do not have a local connection with the Basingstoke and Deane borough, but do with another area, you may be referred there.

## **Further advice**

You can seek further advice from:

- Citizens Advice (0300 3309 064)

## **Local support agencies**

- Julian House are an outreach service helping to support rough sleepers to move off the streets and into accommodation (01256 322791)

## **Contact details**

[www.basingstoke.gov.uk](http://www.basingstoke.gov.uk)

Please contact Housing Services by calling 01256 844844 or emailing [housing@basingstoke.gov.uk](mailto:housing@basingstoke.gov.uk)

# Notes

[www.basingstoke.gov.uk](http://www.basingstoke.gov.uk) | 01256 844844

[customer.service@basingstoke.gov.uk](mailto:customer.service@basingstoke.gov.uk)

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**For general enquiries contact Housing Services by calling 01256 844844.**



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