

HOMELESSNESS ADVICE BOOKLET



THIS LEAFLET CONTAINS IMPORTANT
INFORMATION ABOUT YOUR HOMELESSNESS
APPLICATION AND TELLS YOU WHAT HAPPENS
NEXT - PLEASE TAKE A FEW MINUTES TO READ IT



THE COUNCIL'S DUTIES



Under the *Housing Act 1996 (Part VII)* and as amended by the *Homelessness Act 2002* the Council must make enquiries to decide what legal housing duty it has towards you and what other help you are entitled to receive now that you have made a homelessness application.

The Council's enquiries will be carried out by the *Homelessness Officer* who interviewed you.

Once the enquiries are complete, the Homelessness Officer will write to you letting you know the result of these enquiries and explaining the decision that has been made on your *homelessness application*. Whenever possible they will write to you within 33 working days of the date of your interview.

ENQUIRIES

Further enquiries will be made into your circumstances by the Homelessness Officer. You will be asked to sign a consent form authorising the Council to contact any agency, landlord, medical practitioner etc. to confirm or supply further information relating to your circumstances.

You may also be asked for documentation such as:

- Proof of Identity
- Proof of income

- Child Benefit or Tax Credit awards
- Birth Certificate
- Proof of pregnancy
- Copy of Notice to Quit
- Copy of Passport (where relevant)



ARE YOU 'ELIGIBLE FOR ASSISTANCE'?

Not everyone qualifies for help from a Local Authority under the homelessness provisions. There is an 'eligibility test' and because of that one of the first inquiries that a local housing authority must make is to find out :

- what is your nationality
- what is your immigration status

The purpose of this is to decide whether a person is eligible at all and whether their entitlements to public funds and assistance is limited in this Country. The Council may require the help of the Home Office Immigration and Nationality Directorate (IND) to assist with further inquiries.

ARE YOU HOMELESS?



You are considered homeless if :

- You have no accommodation you are legally entitled to occupy
- It is agreed after further enquiries that it is unreasonable for you to continue living in your accommodation for a specific reason
- You have accommodation but you cannot gain entry to it
- It is moveable (such as a boat or a caravan) but you have nowhere to put it

ARE YOU IN PRIORITY NEED?

This means that for one or more reasons the Council considers that you are in priority need as explained in the Housing Act 1996 and The Homeless Persons (Priority Need) (Wales) Order 2001. This decision on 'priority need' will be made by the Homelessness Officer based on the information you provide and other enquiries they may make. Priority need is established by a number of factors such as:

- Whether you have dependent children living with you or are pregnant
- If you have become homeless as a result of a flood, fire or other disaster
- If you are 16 or 17 years old

- If you are a care leaver or person at particular risk of sexual exploitation, 18 years or over but under the age of 21
- If you are fleeing domestic violence or threatened domestic violence
- If you are homeless after leaving the armed forces
- If you are a former prisoner homeless after being released from custody and who has a local connection with Gwynedd Authority
- If you are vulnerable due to old age, mental illness, handicap, physical disability or other special reason.



ARE YOU HOMELESS INTENTIONALLY?

The Homeless Officer will make enquiries to decide whether or not you have become homeless as a result of your own actions. This means that if you have deliberately done or deliberately failed to do something, knowing that this would probably result in losing your home, you may be deemed intentionally homeless.

Examples of who is intentionally homeless are as follows :

- If you voluntarily give up your home, either in the UK or abroad, and it was reasonable for you to continue living there
- If you lost your home due to non payment of rent or mortgage and there was no explanation of why you did not pay

- If you were evicted for anti – social behaviour, such as harassment, or neighbour nuisance
- If you chose to sell your home for no good reason
- If you chose to give up employment which included accommodation for no good reason.



DO YOU HAVE A LOCAL CONNECTION WITH THE COUNTY OF GWYNEDD?

Enquiries will be made to decide if you have a local connection with the *County of Gwynedd*.

To have a local connection you must satisfy the following:

- Lived in Gwynedd for 3 out of the last 5 years
- Lived in Gwynedd for 6 out of the last 12 months
- Have close relatives who have lived in Gwynedd for 5 years or more e.g mother, father, brother or sister
- Have stable (not casual) employment in the Gwynedd area
- Any special circumstances which the Council accepts makes you an exception.

INTERIM ACCOMMODATION



If the Council has ‘reason to believe’ that you may be homeless or threatened with homelessness within 28 days in priority need then the Council may have a duty to provide you with accommodation whilst the enquiries are ongoing. This may be in the Council’s Homelessness Hostel, private accommodation leased by the Council, or Bed and Breakfast accommodation.

TEMPORARY ACCOMMODATION

Once the enquiries are completed and the Council are satisfied that you are owed a duty then the Council have a duty to provide you with temporary accommodation. This could be a Housing Association property, a Hostel, Private accommodation leased by the Council, or Bed and Breakfast. You will be able to remain in the temporary accommodation until such time that you have been found settled accommodation. This could be via a nomination to a Housing Association, or Private Accommodation. The Council may be able to assist you with a deposit to help you access private accommodation. This is called a ‘qualifying offer’ which brings the Councils housing duty to an end. Your homeless points will be removed from your housing application.

THE HOMELESS DECISION



The Homelessness Officer will write to you once they have finished making enquiries into your application. The letter you receive will give the decision that has been made on your application, and will include information as to the Council's legal duties towards you with regard to housing. This is called a 'section 184 notification letter'.

WHAT DUTIES WILL THE COUNCIL HAVE?

The Council's duty will depend on the decision reached by the homelessness officer.

If the Council decides that you are :

- eligible for assistance,
- that you are homeless,
- in priority need,
- not intentionally homeless,
- and have a local connection with Gwynedd Authority

It will ensure that accommodation is made available for your occupation. The Council must ensure that any accommodation which it offers you is suitable for the needs of your household in accordance with the

Suitability of Accommodation Order 2006.



If, however, the Council decides that you are eligible for assistance, that you are homeless and in priority need but **intentionally** so the Council will give you advice and assistance, and provide temporary accommodation for a reasonable amount of time to enable you to secure your own accommodation.

If you are eligible for assistance and **not in priority need** then the Council will only provide advice and assistance which may involve a referral to another agency or a hostel if appropriate.

ADVICE AND ASSISTANCE

Even if the Council has *no duty to provide you with accommodation* (e.g. if you are not in priority need, or if you have become homeless intentionally, as described above,) you are still entitled to receive advice and assistance to help you find other accommodation. The 'advice and assistance' you receive must include an assessment of your housing need and information on the likely availability of suitable private rented accommodation in the area.

NO LOCAL CONNECTION

If you have no local connection with the Gwynedd Authority the Council may refer your case to another Authority where you do have a local connection, depending on your circumstances and only where there would be no threat of violence towards you if you returned.

YOUR RIGHT TO REVIEW A DECISION



If you are dissatisfied with the decision you have had you may request a review within 21 days of receiving it. The Review will be undertaken by a Senior Officer. You will be asked to provide written submissions to support your review request. The review may take up to 8 weeks depending on the information required. If you do not submit further details the decision will be reviewed on the basis of the information already received.

YOUR RIGHT TO A REVIEW OF THE SUITABILITY OF ACCOMMODATION OFFERED

Any offer made to you by the Council/Housing Association either temporary or permanent has to be suitable for your needs. You may request a review of the suitability of the accommodation by clearly stating your reasons in writing within 21 days of the offer why you are of the opinion that it is not suitable for you.

If you refuse an offer and request a review of suitability it should be noted that if you refuse the offer the property will be offered to someone else and there may be no opportunity for you to be offered it again. Careful consideration must be taken when refusing accommodation as if the review goes against you the Council's duty to you will come to an end. If you have been placed in temporary

accommodation you will be given notice to leave and your homeless points will be removed from your application for housing



ASSISTANCE FROM SOCIAL SERVICES

If you are a parent with dependent children and have been deemed to be intentionally homeless, you may be entitled to assistance from the Council's Social Services Department under their duties contained within the Children Act 1989. The Homelessness Officer will be able to provide further information, including a telephone number to contact, should you find yourself in this situation.

FURTHER QUERIES

If you have any questions about the decision letter you receive or need further advice on any aspect of your homeless application, please contact your *Homelessness Officer*, your *Solicitor*, *Shelter Cymru* or your *local Citizens Advice Bureau*.

CONTACT DETAILS



Phone: 01766 771000

Out of Hours: 01248 384151

Address:

Gwynedd Council, Penrallt, Caernarfon, Gwynedd. LL55 1BN.

Gwynedd Council, Town Hall, Bangor, Gwynedd. LL57 2RE.

Gwynedd Council, Embankment Road, Pwllheli, Gwynedd. LL53 5AA.

Gwynedd Council, Cae Penarlag, Dolgellau, Gwynedd. LL40 2YB.

Large print available on request

