

6

# What help will you get from the **Council** if you are **homeless?**



September 2009



Mid Sussex District Council Housing Options series book:

1 2 3 4 5 **6** 7 8 9 10 11 12

## Who is this leaflet intended for?

For anyone applying for help from the Council because they are either homeless or about to become homeless.

### The leaflet will:-

- help you work out what sort of help you are likely to receive from us; and
- help you understand what to expect when you make a formal homeless application to the Housing Needs Team of the Council

### What help will I get from the Council if I'm threatened with homelessness?

Where possible, we will do what we can to help you keep your current home, or help you to find another one so that you do not become homeless at all.

### What help will I get from the Council if I'm actually homeless?

This will depend on an assessment of your circumstances:-

- we will normally interview you to find out if you meet certain legal criteria set out in Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002
- we may come to see where you are living now
- we may ask you to produce evidence to back up what you say and we may make further enquiries with other people
- the application process is a legal one and when enquiries are complete we will give you a letter setting out the Council's decision on your application along with the reasons for it. We will also give you housing options and help you decide what to do next.

### Will I be provided with emergency accommodation while my application is assessed?

Not necessarily. Emergency accommodation is only provided if we think you may have a **Priority Need** as well as being **Homeless**. You will find an explanation of what these terms

mean in this leaflet. Emergency accommodation can be in a privately owned guest house and some way from where you usually live.

## How will my application be assessed?

We must decide whether your application meets certain legal criteria before we can tell you what help you will be given.

We will need to look at whether:

- you are **Eligible for Assistance**
- you are **Homeless**
- you have a **Priority Need**
- you are **Intentionally Homeless**



We may also look at whether:

- you have a **Local Connection** with Mid Sussex or some other local authority.

If we decide that you are **Eligible for Assistance**, **Homeless**, have a **Priority Need** and are not **Intentionally Homeless**, we will arrange temporary accommodation for you until you find somewhere else to live or while you wait on the Common Housing Register to be offered permanent accommodation by a housing association.

## Who is 'Eligible for Assistance'?

You will be **Eligible for Assistance** unless:

- you are subject to immigration control (with certain exceptions); or
- we decide that (with certain exceptions) you are not habitually resident in the UK, the Republic of Ireland, the Channel Islands or the Isle of Man.

Most people are **Eligible for Assistance** if they are **Homeless**.

## Who is 'Homeless'?

You will be considered to be **Homeless** if:

- you or your family have no accommodation which you are all entitled to occupy; or
- you have a home but cannot gain entry to it; or
- you have a home but we consider that if you continue to live there it is probable that this will lead to violence against you or a member of your family; or
- you have a home but we consider that it is unreasonable for you to go on living there.

Not everyone who is **Homeless** is entitled to accommodation from the Council. However, if you are **Homeless** you will be offered advice and assistance in finding somewhere to live.

## Who has a 'Priority Need'?

You will have a **Priority Need** if:

- you have a dependant child normally living with you; or
- you or someone living with you is expecting a baby; or
- you are 16 or 17 and have not previously been looked after by social services; or
- you are 18, 19 or 20 and have been previously in care; or
- we consider that you or someone living with you is vulnerable because of old age, mental illness/disability, physical disability or other special reason; or
- we consider that you are vulnerable because of:
  - having been in care and you are over 21; or
  - having been in the armed forces; or
  - having been in custody or on remand; or
  - having suffered violence or threats of violence; or
- you are homeless following a fire, flood or similar emergency

If you are **Homeless** and do not have a **Priority Need** we will still offer you advice and assistance in finding somewhere to live.

## Who is 'Intentionally Homeless'?

We may decide that you have become **Intentionally Homeless** if we are satisfied that:-

- you have given up accommodation that you could have continued to occupy; or
- you have lost accommodation through your own fault or action; or
- you have made an arrangement with somebody in order to take advantage of the homeless legislation.

If you are homeless through no fault of your own, and in circumstances beyond your control, it is unlikely that you will be treated as being **Intentionally Homeless**.

If you think you may lose your home, get advice immediately as there may be ways of preventing you becoming homeless. Do not leave your home while you have a right to remain there, unless you have arranged somewhere else to live on a long term basis.

If we consider you to be **Intentionally Homeless**, we will not arrange accommodation for you unless you have a **Priority Need** and even then only for a limited period after we have made a decision on your case. However, we will still offer you advice and assistance in finding somewhere to live.

## What is a 'Local Connection'?

You will usually have a **Local Connection** with a council if you, or anyone who usually lives with you, have:-

- lived in the council's district for 6 months in the past year or 3 years in the last 5 years; or
- permanently employment in the council's district; or
- close family who have lived in the district for the last 5 years; or
- any other special connection with the council's district.

## When will I get a decision on my case?

We will make a decision as soon as we have completed our enquiries into your case - usually within 33 working days of your application to us. We will try to keep you informed about how your case is progressing.



Our decision may be delayed because:

- we are waiting to hear back from you or for documents we have asked you for
- we are waiting for a reply from an enquiry we have made with someone else about your case.

## What happens next?

**If we decide your circumstances don't meet all the legal criteria above:**

- we will tell you this with our reasons in a letter we give you
- we may end any emergency housing we have given you
- we will explain how to request a review if you think our decision is wrong
- we will set out your housing options to help you decide what to do next
- we will offer you advice and assistance in your efforts to find somewhere to live

**If we decide you do meet all the legal criteria above:**

- we will arrange suitable temporary accommodation for you until you either find somewhere else to live yourself or while you wait to be offered a tenancy by a housing association
- we will set out your housing options to help you decide what to do next
- we will offer you advice and assistance in your efforts to find somewhere to live

## How do I apply for social housing in Mid Sussex?

You will need to apply to go on the Mid Sussex Common Housing Register. Contact the **Common Housing Register Team** at **Affinity Sutton** to find out how to do this (**0845 6887717**).

## What are my 'Housing Options'?

Apart from applying for social housing, which is in short supply, other options could include being helped to stay in your present home or to rent privately. For advice on your housing options, contact the Council's Housing Needs Team or pick up a copy of our leaflet *What Are Your Housing Options?*.

### Where can I get advice?

#### Citizens Advice Bureau

**Burgess Hill:** 38 Church Road,  
Burgess Hill, RH15 9AE  
01444 241252

**East Grinstead:** Cantelupe House,  
Cantelupe Road, East Grinstead,  
RH19 3BZ  
01342 321638

**Haywards Heath, Oaklands,**  
Paddockhall Rd, Haywards Heath,  
RH16 1HG  
01444 459866

[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)  
[www.advice.org.uk](http://www.advice.org.uk)

*Gives independent confidential advice.*

#### Shelter

1st Floor, Barton House, Broadfield  
Barton, Crawley, RH11 9BA  
0844 5151750

[www.shelternet.org.uk](http://www.shelternet.org.uk)

*Gives independent confidential advice.*

#### Common Housing Register Team

Affinity Sutton  
Norris House, Burrell Road, Haywards  
Heath, RH16 1YL  
0845 688 7717

[ApplicationForm@affinitysutton.com](mailto:ApplicationForm@affinitysutton.com)  
[www.affinitysutton.com](http://www.affinitysutton.com)

*The Common Housing Register Team manages the Common Housing Register on behalf of the Council and its housing association partners.*

#### Housing Benefits

Mid Sussex District Council  
Oaklands, Haywards Heath, RH16 1SS  
01444 477264

*The Council is responsible for the Housing Benefit service which provides assistance with rent payments for people on low incomes or other benefits.*

## Who should I see if I think I might become homeless?

**Housing Needs Team**  
**Mid Sussex District Council, Oaklands,**  
**Haywards Heath, RH16 1SS**  
**01444 477574**

**HousingAdvice@midsex.gov.uk**  
**www.midsex.gov.uk**

*Provides a general advice service for anyone in housing need.*



**Remember: Whether you are an owner, a tenant or a lodger, it is important that you seek advice immediately if you think you may lose your home. With the right advice you may be able to keep your home and avoid becoming homeless at all.**

This leaflet is not intended to give an authoritative interpretation of the law, nor does it cover all cases. If you are in any doubt about your legal rights, you would be well advised to seek advice from one of the organisations listed above or consult a solicitor.

### Need help accessing this service?

Precisa de assistência para aceder a este serviço?

Bu hizmete erişmek için yardıma ihtiyacınız var mı?

需要協助您使用這項服務嗎?

ต้องการความช่วยเหลือในการใช้บริการนี้?

نايا بيويستيت به يارمه تي مهيه بؤ به دهسكوتني ثم خزمه تگوزاريه؟

এই পরিষেবা লাভের জন্য সংযোগ করতে সাহায্যের প্রয়োজন?



**01444 458166**

### Leaflets in our Housing Options series

- |   |  |
|---|--|
| 1 What are your housing options?  | 7 Direct access hostels for single people or couples     |
| 2 Where to get Housing Advice in Mid Sussex                             | 8 Low cost home ownership in Mid Sussex                  |
| 3 How to apply for social housing in Mid Sussex                         | 9 Housing options for older people                       |
| 4 Finding somewhere to rent privately                                   | 10 Housing options for people with learning disabilities |
| 5 A guide to the Council's Rent in Advance and Deposit Guarantee scheme | 11 Housing options for people with mental health needs   |
| 6 What help will you get from the Council if you're homeless?           | 12 Housing options for young people                      |

**If you would like this leaflet in large print, Braille or on tape, call us on 01444 458166**