

1. Introduction

Every local authority should help homeless people in the same way. The rules are set out in the Housing Act 1996 Part VII (as amended by the Homeless Act 2002.)

The Housing Options Service is located at the City Council Offices, Herbert Warehouse, The Docks, Gloucester.

You can contact the service directly and speak to a Housing Options Officer about your situation. The housing Options Officer will let you know about your legal rights, may be able to help you remain in your home or help you find suitable accommodation within the private sector. If they can't help they may refer you to a Homelessness Officer.

You do not need to wait until you are homeless to get advice. If you think you are at risk of losing your home speak to a Housing Options Officer straight away as they can help you look at your options.

Housing Options Team contact details:
Telephone 01452 396504

(If you become homeless in an emergency outside of office hours, you should contact the Police Station at Bearlands who will refer you to the emergency duty team at Social Services.
Address: Gloucester Police Station, Bearlands, Longsmith Street, Gloucester.

2. Making a homeless application

If you apply to Gloucester City as homeless you will be interviewed by a Housing Options Services Officer who will ask you questions about your situation. This will enable us to decide what advice and assistance we can give you.

When attending your interview please bring any relevant documents with you; for example:

- Proof of benefits eg. Child Benefit, JSA, Disability Living Allowance
- Proof of pregnancy: MAT 1 card.
- Documentation relating to why you may become homeless - Notice from your landlord, tenancy agreement, court order etc.
- Birth Certificate (s)
- Any other information relevant to your application.

You can take someone into the interview with you. This can be a friend, relative, or specialist advisor. This can be helpful if your situation is complex or if you would like support during the interview.

It is important that the information you give to us is correct.

At the end of the interview, you should be clear about what the Housing Options Service are going to do next, what enquiries they are going

to make, when you will be contacted next and who.

You should contact us if you have anything you want to ask or if your circumstances change. If you are not clear about any of these things, then you should ask the Officer to write down any relevant information.

Following the interview the Housing Options Service will need you to establish the answers to the following questions:

- Are you homeless or threatened with homelessness within the next 28 days?
- Are you eligible for assistance?
- Are you in priority need?
- Are you unintentionally homeless?
- Do you have a local connection?

Each of these points is explained in this booklet.

3. Are you homeless or threatened with homelessness within the next 28 days?

Under the homelessness legislation a person is homeless if they and their family don't have anywhere to live in the UK or anywhere else in the world.

However, if you have a home you may also be homeless or threatened with homelessness if:

- You have been evicted illegally
- You are being subjected to violence, or it is likely you will be if you continue to live in your home
- There are exceptional circumstances, and it is not reasonable for you to remain in your home
- You have been issued with a Notice to Quit or Possession Order to leave your property
- You have somewhere to live but cannot get into it.
- Your home is a caravan or houseboat and you have nowhere to legally park or moor it.

4. Are you eligible for assistance?

Some people are not eligible for assistance with housing because they do not usually live in the United Kingdom. If some members of the household are found eligible for assistance and others are not, Gloucester City will only consider the needs of the household members who are eligible.

This is a complicated issue and you can talk to a Housing Options Officer who may then refer you to an immigration specialist for further advice.

5. Are you in Priority Need?

Applicants may be classed as being in priority need if you or member of your household is vulnerable. When deciding whether you are vulnerable, a Housing Options Officer will look at whether your personal circumstances make it harder for you to keep and find accommodation. You may have a priority need if:

- You are 16 or 17 years old
- You are 18 to 20 years old and have previously been in Care, looked after or fostered.
- You, or a member of your household, are pregnant
- You have dependant children in your household who are under 16
- You are homeless as a result of an emergency such as a fire or flood
- You ceased to occupy accommodation because of violence or threats of violence or other special reasons.
- You or a member of your household is an older person
- You or a member of your household has a Learning disability
- You or a member of your household has a Mental illness
- You or a member of your household has a Physical disability
- You have been in care
- You have served in the armed forces
- You have been in prison/custody
- You have a special reason

6. Are you Intentionally Homeless?

An applicant may be considered intentionally homeless if:

- You choose to leave a home which it would have been a reasonable for you to remain in
- It was your fault that you lost your home e.g. by not paying the rent.

This can be a complicated area but a Housing Options Officer will look into each case on an individual basis, and will take all the facts into consideration before reaching a decision.

7. Do you have a Local Connection?

If a Housing Options Officer decides that you are: homeless, they have to establish if you have a local connection with Gloucester City. A local connection could be:

- You have lived in the district for 6 months out of the last 12 months
- You have lived in the district for 3 years out of the last 5 years
- You have a permanent employment in the district
- You have a close relative who has lived in the district for the last 5 years (Close relative means mother, father, brother, sister or adult son or daughter or foster parent).

If you do not have a connection with Gloucester City, then a Housing Options Officer will work within other Local Authorities to decide if you have a local connection anywhere else. A Housing Options Officer will make sure that another local authority has agreed to help you before referring you there. Whilst arrangements are being made, Gloucester City may still have a duty to find a home for you, or help you find a home.

8. Investigating your case.

If a Homelessness Officer takes a homeless application from you, they will investigate your circumstances. Some of the people they may contact in order to find out further information may include:

- Your landlord
- Your GP or Specialist
- Your Social Worker
- Members of your family.

Your Homelessness Officer will complete the investigation work as quickly as possible. They will aim to do this within 33 working days, although in some cases the investigation is complicated and may take longer. In order to assist the investigation it is important to provide any requested documentation as quickly as possible.

After completing their enquiries, the Homelessness Officer will send you a letter stating their decision, and the reasons for it. If the Homelessness Officer accepts that you fulfil all five points, there will be a duty to **secure that suitable accommodation is made available to you/ to secure suitable accommodation for you.**

If you qualify for permanent housing via the City Council's Housing Register the first suitable offer will discharge the Council's homeless duty towards you.

Please be aware that the accommodation is in high demand and it may take sometime before you are permanently rehoused.

Right to Review

If are not happy with the decision you must contact Gloucester City within 21 days of being notified of the decision, stating your reasons for requesting a review of your case. Please contact: Housing Options Service, Herbert Warehouse, The Docks, Gloucester GL1 2EQ. Telephone 01452 396504.

An independent Review Officer will carry out a review of your case. You will be asked to attend an interview to put your side to the Review Officer. The Officer will write to you within 56 days with an outcome of the review. If you disagree with the review decision, you may be able to appeal to the County Court (on a point of law) within 21 days of being informed of the outcome of the review. A copy of the review procedure is available from the Housing Options Service Unit.

You can get independent advice and support to help you request a review. Please contact the City Council, Citizens Advice Bureau or Shelter if you would like to know more about how you can do this.

9. Housing Options

Temporary Accommodation

The authority will provide you and your household with temporary accommodation if any member of your household has a priority need (see earlier) in the following circumstances:

- If you have nowhere to stay whilst your homeless application is being investigated and you are in priority need.
- Or if your homeless application has been accepted and there is a delay before you can be offered a permanent home

You will have to pay for the temporary accommodation, although you may be entitled to help with the cost if you are receiving benefits or are on a low income.

If you move into temporary accommodation you may have to make your own arrangements to put some of your belongings into storage and arrange to have your pets temporary cared for. Gloucester City Council will assist you In the event you are unable to protect your belongings - but you will be recharged for this service.

Homeless Duty

If the authority accepts you as homeless, Gloucester City Council will have a duty to provide you with suitable accommodation, which could be in the private or public sector. Gloucester City Council's homeless duty will continue towards you until:

If you cease to be eligible (see earlier for an explanation of eligibility)

If you become homeless intentionally from the accommodation made available

If you voluntarily cease to occupy the accommodation made available

If you accept an offer of permanent accommodation

If you refuse an offer of suitable accommodation (either temporary or permanent)

If you have no local connection (see earlier) and have been referred to your local council

If you accept an Assured Shorthold tenancy as a qualifying offer.

Suitable accommodation

If, after viewing an offer of accommodation you think that it is not suitable, you have the right to request a review. You can request a review whether or not you accept the property. You must contact the authority within 21 days of receiving the offer stating your reasons. Please contact the Housing Options Service. Tel: 01452 396504. A review of the offer will be carried out by an Independent Review officer who will take into account any additional information you provide as to why the property is not suitable. The Review Officer will notify you of the outcome of the review within 56 days. If you disagree with the review decision, you may be able to appeal to the County Court (on a point of law) within 21 days of being informed of the outcome of the review.

If your review and/or appeal is not successful and you have refused the offer of suitable accommodation Gloucester City Council will have no further duty towards you as homeless and you will have to make your own arrangements for housing.

If you are thinking of refusing an offer of accommodation please get independent advice from either Shelter or CAB.

Your notes

10. Useful contacts

Shelter

Independent housing information and advice.

Tel: 0808 800 4444

Citizens Advice Bureau

Independent advice on housing, debt, welfare benefits and other legal issues.

Tel: 01452

ASTRA Alternative Solutions to Running Away

Support and advice for young people (up to the age of 18) who have run away or are thinking about it.

Tel: 0800 389 4992

Gloucester Nightstop

This is a scheme that offers emergency overnight accommodation in the homes of volunteer hosts for young single people aged between 16-25.

Tel: 01452 331330

Housing Benefit

Advice and assistance to claim benefits for rent and council tax.

Tel: 01452 396

Job Centre

Advice and assistance to claim benefits for living costs.

Tel: 0845 6021036

Racist Incident Helpline

Advice and support if you have been a victim or witnessed physical abuse of your race, nationality or ethnic origin.

Tel: 0800 1694139

Gloucestershire Domestic Violence Support and Advocacy Project (GDVSAP)

Free confidential advice, support and information on domestic violence.

Tel: 01452 500115

RSPCA

Advice concerning pets and animal welfare.

Tel: 08705 555999