

Homeless?

Your guide to what we can
and cannot do

What service do we offer?

We appreciate that this is a difficult time and we will do all that we can to help. If you are homeless or about to lose your home this leaflet tells you what help there is likely to be and where to go to get it.

What happens when I first contact the council?

First you will speak to or have an interview with one of the council's Housing Options Officers who specialise in housing advice. They will ask you some questions about your situation and will decide if they are able to give you sufficient advice and assistance to prevent your homelessness. If they decide that becoming homeless is unavoidable or if you are already homeless you will be given an appointment with a Homeless Officer so that you can make a homeless presentation. The Homeless Officer will be responsible for making enquiries into your application and will tell you when this has been done and what the decision is.

You should contact your Homelessness Officer about anything to do with your application. Either telephone your Homeless Officer or make an appointment to see them. If you want to see them in person you will need an appointment as they may not be available without notice.

What we need to know

We will consider your application under the Housing Act 1996, Part VII, as amended by the Homelessness Act 2002. This means that we have a legal duty to make certain enquiries and tell you what we can do for you after that. We need to find out the following:

Are you eligible?

Not everyone who is homeless is eligible. The government makes certain people from abroad ineligible for housing assistance. People who are ineligible for assistance can only be provided with housing advice.

Are you homeless or threatened with homelessness in the next 28 days?

Homelessness is a term which covers a range of situations which people find themselves in. The following are some of the examples of what is considered legally homeless:

- You have nowhere to stay tonight or
- You have been staying somewhere but have no legal rights to stay there and are being told to leave or
- You have been locked out of your home and told not to come back or
- You have somewhere to live but are likely to face violence if you return or
- You are forced to leave your home because of harassment

The council will make a decision as to whether you are homeless. People who are not homeless can only be provided with homelessness advice.

Are you in priority need?

We have to consider whether you are in a priority need group as set out in law for example you have young children or are pregnant or have a serious medical condition or there is some other special reason.

How did your homelessness come about?

The council have to consider how your homelessness happened and whether it is your own fault or if you could have prevented it. The law says that you could be intentionally homeless if:

- You deliberately gave up accommodation you could have stayed in or
- You deliberately did something, or failed to do something, which you knew would mean losing your accommodation or
- You failed to act on advice and assistance that you have been given to help you find alternative accommodation.

For people who are intentionally homeless and who do have a priority need the Council has a duty to secure that accommodation is available for a period of time to give the person a reasonable opportunity to find their own accommodation in addition to providing them with housing advice and assistance. Additionally if

the household has children then the Council must notify the County Council's Children, Schools and Families Service.

Do you have a local connection with East Herts?

We will consider how long you have lived in East Herts, whether you work in east Herts and if you have any relatives living in East Herts when deciding if you have local connection here. If you have no local connection with East Herts we will refer you to the Council where you do have such a local connection. There are exceptions to this which will be explained to you if they apply.

How we will handle your case

You will be interviewed by a Homeless Officer who will complete a Homeless Application form. We can arrange for a translator if English isn't your first language. If your social worker, probation officer or advocate wants to come with you this is fine. You must tell us the truth and give us all the information we need.

Your Homeless Officer will ask you to sign your application form and give them written permission to contact any relevant persons about your circumstances. For example we may need to contact:

- Doctors
- Building societies or banks
- Landlords
- Solicitors
- The Home Office
- Other agencies

Your case worker will need to see some papers. These could include:

- Proof of your identity
- Your tenancy agreement
- A Notice to Quit
- Full birth certificates
- Proof of pregnancy
- Medical papers
- Financial statements.

We will assess your case as soon as possible. Our target is to give you a decision about your application within 33 working days.

If the Council decides that it has a statutory duty to provide accommodation because it has found that you are eligible for assistance, homeless, in priority need, have a local connection and not intentionally homeless you will be advised in writing in a decision letter. The council will then seek to provide you with suitable accommodation via nomination to a Registered Social Landlord (Housing Association) as the Council has no permanent stock of its own. It is difficult to predict how long it can take to find you alternative long term accommodation but it will be a home that the Council considered to be suitable for the size and needs of your household.

You will be made one offer of permanent accommodation. If you think that the property is unsuitable you can ask for a review of the accommodation offered. But you will need medical or other serious reasons. It is advisable to take up the offer during the review. If you chose not to do this and the accommodation is found to be suitable you will not be made any further offers of accommodation and our duty to house you will come to an end. In addition if you are staying in temporary accommodation provided by the Council you will be asked to leave. Information about how to ask for a review is detailed below.

If we decide you don't qualify for our help we will explain, in writing, why. If you don't agree with the reasons we give you can ask for a review of the decision. Information about how to ask for a review is detailed below.

Temporary accommodation

If when you first approach us you have no where to live and we consider that you maybe eligible, homeless and have a priority need we have a duty to ensure suitable temporary accommodation is available until we have completed our enquiries. This is usually a hostel. When the enquiries are completed and if we have a statutory duty to find your household accommodation you will remain in the temporary accommodation but your application on the Council's Housing Register will be given additional preference. If the decision is that we have no duty to provide you with accommodation we will give you reasonable notice to leave any temporary accommodation we have secured for you. We will also provide you with advice and assistance to help you secure your own accommodation.

How to ask us for a review of your case

You can ask for a formal review of most of the decisions regarding your homeless application. A request for a review is only valid if made within 21 days of the decision being given. You will need to explain why you think our decision is wrong and tell us about any new information that you think is important. If you ask us to review your case you may find it helpful to contact one of the organisations listed at the end of this leaflet. Details of how to request a review will be given in your decision letter.

We have to give you a decision within eight weeks of receiving your letter. If you still feel the decision is legally unfair you can take your case as an appeal to the County Court.

Contacting us

The Housing Options Team is based at the Council offices in Pegs Lane, Hertford and The Causeway, Bishop's Stortford. The telephone number for both offices is 01279 655261 and then ask to speak to a member of the Housing Options Team. They can also be contacted by email at Housingoptions@eastherts.gov.uk. The offices are open from 9.00am to 5.00pm Monday to Friday but unless it is an emergency you should telephone first to make an appointment to ensure someone is available to see you. If you are in an emergency homeless situation outside of office hours then the Council's normal office hours telephone number will have a recorded message advising you how to contact the service.

The Council's Benefits Team are based at the Council's Offices, The Causeway, Bishop's Stortford and can be contacted on 01279 655261. Their email address is Benefits@eastherts.gov.uk

Other useful organisations

Citizens' Advice Bureau Hertford: Tooke House, 20 Bull Plain, Hertford, Hertfordshire, SG14 1DT. Phone: 01992 581441

Citizens' Advice Bureau Ware: Meade House, 85 High Street, Ware, Hertfordshire, SG12 9AD. Phone: 01920 463495

Citizens' Advice Bureau Bishop's Stortford: 74 South Street, Bishop's Stortford, Hertfordshire, CM23 3AZ. Phone: 08701 264083

Citizens' Advice Bureau Buntingford: North Entrance, The Manor House, 21 High Street, Buntingford, Hertfordshire, SG8 9AB. Phone: 01763 272024.

Herts Young Homeless Group 178 Crossbrook Street, Cheshunt, Hertfordshire, EN8 8JY. Phone: 01992 635001

Shelter Queensway House, Queensway, Hatfield, AL10 0LS. Phone: 01707 256256, e-mail: hertfordshire@shelter.org.uk